Prince Edward Island
CANADA

Environment, Labour and Justice

Annual Report

For the Fiscal Year April 1, 2012 to March 31, 2013

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Labour and Justice

Message of the Minister / Message de la ministre

The Honourable Frank Lewis
Lieutenant Governor
Province of Prince Edward Island

May it Please Your Honour:

I have the honour to submit herewith the Annual Report of the Department of Environment, Labour and Justice for the fiscal year ending March 31, 2013.

Respectfully submitted,

L'honorable H. Frank Lewis
Lieutenant-gouverneur de
l'Île-du-Prince-Édouard

Qu'il plaise à Votre Honneur,

J'ai le privilège de vous présenter le rapport annuel du ministère de l'Environnement, Travail et Justice pour l'exercice financier se terminant le 31 mars 2013.

Le tout respectueusement soumis,

Janice Sherry,
Minister of Environment, Labour and Justice and Attorney General
Ministre de l'Environnement, du Travail et de la Justice et procureure générale

Table of Contents

Deputy Attorney General's Overview 1

Tour d'horizon de la sous-ministre 1

Vision, Mission and Other Responsibilities 5

Executive Summary 8

Environment

Beverage Container Management 11
Climate Change and Air Quality 11
Drinking Water and Wastewater Management 14
Environmental Land Management 15
Inspection Services 16
Prince Edward Island Analytical Laboratories 24
Watershed and Subdivision Planning 24

Labour

Labour & Industrial Relations 27
Employment Standards Division 28
Employment Standards Board 29
Labour Relations Board 29
Worker Advisor Program 30

Justice

Community and Correctional Services Division 32
- Corporate Services Section 32
- Planning and Development Services 33
- Victim Services 33
- Community Services 36
- Probation Services 36
- Youth Justice Services 37
- Correctional Services 41
- Clinical Services 46

Consumer, Corporate and Insurance Services Division 49
- Corporate Section 49
- Insurance and Real Estate Section 52
- Consumer Services Section 54

Crown Attorneys' Division 57

Finance and Corporate Management Division **61**

Legal Aid Division **61**

Legal and Judicial Services Division **70**
Family Law Section 70
Judicial Services 73
Sheriff Services 75
Legal Services 75
Office of the Public Trustee, Public Guardian and Official Guardian 76
Legislative Counsel Office 80

Community Safety and Justice Policy Division **81**
Access and Privacy Services 81
Investigation and Enforcement 84
Justice Policy and Planning 85
Policing Services 88
Provincial Firearms Office 90
PEI Office of Public Safety 91
Fire Marshall 96

Departmental Staff Summary and Organizational Chart **104**

Deputy Minister's Overview / Tour d'horizon de la sous-ministre

The Honourable Janice Sherry
Minister of Environment, Labour
and Justice and Attorney General
Province of Prince Edward Island
P.O. Box 2000
Charlottetown, PE C1A 7N8

Honourable Minister:

It is my pleasure to present the annual report of the Office of the Department of Environment, Labour and Justice for the fiscal year April 1, 2012 to March 31, 2013. The report contains some highlights and a general description of the work carried out by the various divisions of the department..

This mark the first complete fiscal year of operations for the Department of Environment, Labour and Justice since the creation of this new department under the leadership of Minister Janice Sherry.

Early in the year, our Labour Standards section was called upon to clarify labour laws following media reports that some gas station operators were docking employee pay for the value of fuel stolen in "gas-and-dash" thefts. Island labour law does not allow this kind of punitive action.

L'honorable Janice Sherry
Ministre de l'Environnement,
du Travail et de la Justice
Procureure générale
Province de l'Île-du-Prince-Édouard
C.P. 2000
Charlottetown (Î.-P.-É.) C1A 7N8

Madame la ministre,

C'est avec plaisir que je vous présente le rapport annuel du ministère de l'Environnement, du Travail et de la Justice pour l'exercice s'étalant du 1er avril 2012 au 31 mars 2013. Il s'agit du premier exercice financier complet lors duquel le ministère de l'Environnement, du Travail et de la Justice a exercé ses activités depuis sa création en novembre 2011. Ce rapport présente des faits saillants et une description générale du travail réalisé par les divisions du Ministère.

Tôt dans l'année, la Direction des normes d'emploi a dû clarifier le droit du travail lorsque des médias ont rapporté que certains exploitants de stations d'essence prélevaient une partie du salaire des employés pour récupérer la valeur d'essence volée. Les dispositions de la loi provinciale à cet effet interdisent ce type de mesure punitive.

Le Bureau du commissaire aux incendies a rappelé aux Insulaires d'être très prudents s'ils doivent brûler de l'herbe. Dans le cadre de son

The Fire Marshal's Office was once again obligated to issue warnings to Islanders about the importance of paying attention to fire safety when burning grass. As part of its ongoing fire-prevention work, the FMO continues to discourage this practice which, although common, produces no appreciable benefit for the lawn being burned.

In June, the approval of new legislation gave our Legal Services section the green light to begin court proceedings against tobacco companies in order to recover health costs related to smoking on Prince Edward Island. The case was begun in September 2012, with the filing of a statement of claim seeking damages from tobacco producers.

In September, efforts to reduce waste and promote recycling were boosted with the launch of an extended producer responsibility program for unused paint. This industry-funded effort will see usable leftover paint donated to charity, while unusable paint will be disposed of responsibly.

Islanders were offered the opportunity to have their say about the future of the Island environment with the August launch of resource protection consultations under the leadership of the Environmental Advisory Council.

Our Environmental Impact Assessment workers came in for particular scrutiny this year when it was asked to evaluate proposed changes to the Trans-Canada Highway between Bonshaw and New Haven. The project was approved and Environment continues to monitor the impact of this highway work and to enforce environmental conditions imposed as part of the project approval.

travail de prévention des incendies, le Bureau du commissaire continue de décourager le brûlage d'herbe, car cette pratique commune ne rapporte aucun avantage appréciable pour la pelouse.

En juin, la proclamation de la *Tobacco Damages and Health Care Costs Recovery Act* (loi de recouvrement des coûts en santé dus aux produits du tabac) a permis à notre service juridique d'engager des poursuites contre des fabricants de produits du tabac en vue de recouvrer les coûts en santé liés au tabagisme à l'Île-du-Prince-Édouard. Une déclaration réclamant des dommages-intérêts aux fabricants de produits du tabac a été déposée en septembre 2012.

En juillet, un comité d'action sur la gestion durable des terres a été mis sur pied pour examiner les façons de prévenir les mortalités massives de poissons dans la rivière Barclay. Les recommandations présentées par le comité en novembre 2012 sont en cours d'exécution.

Dans le but de réduire les déchets et de promouvoir le recyclage, un programme de responsabilité élargie des producteurs a été lancé en septembre. Financé par l'industrie, le programme permet de remettre des restes de peinture utilisable à des organisations caritatives et d'éliminer la peinture inutilisable de façon responsable.

Les Insulaires ont eu l'occasion de s'exprimer sur l'avenir de l'environnement à l'Île dans le cadre de consultations portant sur la protection des ressources. Ces rencontres ont été lancées en août sous la direction du Conseil consultatif de l'environnement.

Les agents responsables des études d'impact sur l'environnement ont évalué le projet de modification du tracé de la Transcanadienne entre Bonshaw et New Haven. Ce projet, qui a manifestement retenu l'attention du public, a été approuvé au début du mois d'octobre à condition de respecter de strictes conditions environnementales. La Division de

Due in part to the proliferation of "smart phones" emergency services have reported an increase in the number of accidental calls to 911 attributable to this number being programmed into cell phones. Our department is responding to this problem with an education campaign about accidental dialing and we anticipate introducing legislation in Spring 2013 that will prohibit programming 911 into telephones.

In an effort to improve services to Islanders, the laboratory services of Environment, Labour and Justice and the laboratory services of Agriculture and Forestry were brought together at the new Prince Edward Island Analytical Laboratories which opened its doors in the Charlottetown Biocommons. The laboratory offers a range of analytical testing for water, soils, crops and milk.

Respectfully submitted,

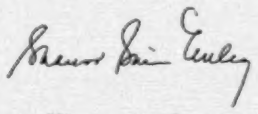
l'environnement continue de surveiller l'impact des travaux et de faire respecter les conditions relatives au projet.

Les services d'urgence ont rapporté une augmentation du nombre d'appels accidentels au 911. Cela s'explique en partie par la propagation des téléphones intelligents et de l'enregistrement du 911 dans ces appareils. Le Ministère a lancé une campagne de sensibilisation portant sur les appels accidentels et les dispositions législatives interdisant l'enregistrement du 911 dans les téléphones.

Pour améliorer les services offerts aux Insulaires, le service de laboratoire du ministère de l'Agriculture et des Forêts est devenu les Laboratoires d'analyse de l'Île-du-Prince-Édouard. Le nouveau service de laboratoire a ouvert ses portes dans la Cité de la biotechnologie à Charlottetown. On y analyse des échantillons d'eau, de terre, de culture et de lait, entre autres.

En terminant, je souhaite remercier les employés du Ministère qui continuent d'effectuer leur travail avec dévouement et compétence pour tous les Insulaires.

Je vous prie d'agréer, Madame la Ministre, l'expression de mes sentiments distingués.



Shauna Sullivan Curley, Q.C. / c.r.
Deputy Minister and Deputy Attorney General
Sous-ministre et sous-procureure générale

Department of Environment, Labour and Justice

Vision

The Department of Environment, Labour and Justice envisions a society, governed by law and order, where people work in partnership in the interests of public safety to prevent crime and promote safe communities; to protect our environment; to provide a stable regulatory system for employers, employees, consumers, corporations, and financial services; and where access to justice is available to all citizens.

Mission

The mission of the Department of Environment, Labour and Justice is to provide reliable, useful and timely advice, assistance and information on programs and services including the following:

- 911 Administration
- Aboriginal Justice
- Alternative Dispute Resolution
- Analytical Laboratories
- Business Registry Services
- Climate Change and Air Management
- Clinical Services
- Community Services
- Consumer Protection
- Correctional Services
- Court Services
- Crime Prevention
- Drinking Water, Land and Systems Protection
- Emergency Management
- Environmental Assessment and Land Management
- Family Violence Prevention
- Financial Services, Regulation and Enforcement
- Fire Marshal's Office
- Gun Control
- Impaired Driving
- Inspection Services
- Justice Policy
- Justice Resource Service
- Legal Aid Services
- Legal Services
- Policing
- Public Prosecution Services
- Victim Services
- Watershed and Subdivision Planning

The Department of Environment, Labour and Justice plays a pivotal role in enhancing the rule of law and strengthening the efficiency and integrity of Prince Edward Island's legal system. The department provides a vast array of legal expertise for the good governance of PEI.

Staff assist the Judiciary in the fair and impartial administration of justice in the province and act as Government's legal adviser in all aspects of public administration law, criminal law, international law, legislation and law reform.

The Department is also charged with the protection of the environment across Prince Edward Island, including carrying out environmental assessment of proposed projects, monitoring threats to the environment and enforcing provincial law and regulations.

Human Rights Act

The Attorney General is responsible for the *Human Rights Act* and provides for its proper administration through the allocation of resources to the Human Rights Commission.

Acts Administered by the Department of Environment, Labour and Justice

Affidavits Act
Age of Majority Act
Agricultural Crop Rotation Act
Amusement Devices Act
Ancient Burial Grounds Act
Appeals Act
Apportionment Act
Arbitration Act
Auctioneers Act
Automobile Junk Yards Act
Bailable Proceedings Act
Beverage Containers Act
Blind Workers Compensation Act
Boiler and Pressure Vessels Act
Business Practices Act
Canada-United Kingdom Judgments Recognition Act
Canadian Judgments (Enforcement) Act
Cemeteries Act
Charities Act
Child Status Act
Collection Agencies Act
Commorientes Act
Companies Act
Consumer Protection Act
Consumer Reporting Act
Contributory Negligence Act
Controverted Elections (Provincial) Act
Co-operative Associations Act
Coroners Act
Correctional Services Act
Court Reporters Act
Court Security Act
Credit Unions Act
Crown Proceedings Act
Custody Jurisdiction and Enforcement Act
Defamation Act
Dependants of a Deceased Person Relief Act
Designation of Beneficiaries Under Benefit Plans Act
Direct Sellers Act
Electrical Inspection Act
Electronic Commerce Act
Electronic Evidence Act
Elevators and Lifts Act
Emergency 911 Act
Emergency Measures Act
Employment Standards Act
Environmental Protection Act
Escheats Act
Evidence Act
Extra-provincial Corporations Registration Act
Factors Act
Family Law Act
Fatal Accidents Act
Films Act
Fire Prevention Act (except Part VII)
Floral Hills Memorial Gardens Administration Act
Foreign Resident Corporations Act
Franchises Act
Frauds on Creditors Act
Freedom of Information and Protection of Privacy Act
Frustrated Contracts Act
Garage Keepers' Lien Act
Garnishee Act
Gift Cards Act
Gulf Trust Corporation Act
Habeas Corpus Act
Human Rights Act
Insurance Act
Interjurisdictional Support Orders Act
International Commercial Arbitration Act
International Sale of Goods Act
International Trusts Act
Interpretation Act
Interprovincial Subpoena Act
Investigation of Titles Act
Islander Day Act
Judgment and Execution Act
Judicature Act
Judicial Review Act
Jury Act
Labour Act
Landlord and Tenant Act
Legal Profession Act
Lightning Rod Act
Limited Partnerships Act
Maintenance Enforcement Act
Mechanics' Lien Act

Natural Areas Protection Act
North American Labour Cooperation Agreement Implementation Act
Occupational Health and Safety Act
Occupiers' Liability Act
Partnership Act
Pay Equity Act
Perpetuities Act
Personal Property Security Act
Pesticides Control Act
Police Act
Power Engineers Act
Powers of Attorney Act
Prearranged Funeral Services Act
Premium Tax Act
Private Investigators and Security Guards Act
Probate Act
Probation Act
Provincial Administrator of Estates Act
Provincial Building Code Act
Provincial Court Act
Public Accounting and Auditing Act
Public Trustee Act
Quieting Titles Act
Real Estate Trading Act
Real Property Act
Reciprocal Enforcement of Judgments Act
Retail Business Holidays Act
Rural Communities Fire Companies Act
Sale of Goods Act
Securities Act
Sheriffs Act
Statute of Frauds
Statute of Limitations
Store Hours Act
Summary Proceedings Act
Supreme Court Reporters Act
Survival of Actions Act
Time Uniformity Act
Tobacco Damages and Health Care Cost Recovery Act
Transboundary Pollution (Reciprocal Access) Act
Trespass to Property Act
Truck Operators' Remuneration Act
Trust and Fiduciary Companies Act
Trustee Act
Unclaimed Articles Act
Unconscionable Transactions Relief Act
Uniformity Commissioners Act
Unsightly Property Act
Variation of Trusts Act
Vendors and Purchasers Act
Victims of Crime Act
Victims of Family Violence Act
Volunteers Liability Act
Warehousemen's Lien Act
Winding-up Act
Workers Compensation Act
Youth Employment Act
Youth Justice Act

Boards, Agencies and Commissions

Boilers and Pressure Vessels Advisory Board
Building Standards Council
Court Transcribers Examining Board
Credit Union Deposit Insurance Corporation
Criminal Code Review Board
Employment Standards Board
Environmental Advisory Board
Human Rights Commission
Industrial Relations Council
Judicial Remuneration Review Commission
Labour Relations Board
Occupational Health & Safety Advisory Council
Office of the Police Commissioner
Power Engineers Board of Examiners
Public Trustee Advisory Committee
Supreme Court Finance Committee
Uniformity Board of Commissioners (inactive)
Victim Services Advisory Committee
Workers Compensation Appeals Tribunal
Workers Compensation Board

Executive Summary

The Department of Environment, Labour and Justice consists of the following divisions: Community and Correctional Services; Consumer, Corporate and Insurance Services; the Crown Attorneys' Office; Environment; Finance and Corporate Management Division; Labour and Industrial Relations; Legal Aid; Legal and Judicial Services; Legislative Counsel Office; the PEI Office of Public Safety; and the Policy, Policing and Community Safety Division. Following is a brief description of each division.

Community and Correctional Services Division
Enhances public safety by providing custody facilities, rehabilitative and reintegrative programming to adult and young offenders as well as services to victims of crime.

Consumer, Corporate and Insurance Services Division
Registers and incorporates business enterprises, co-operatives and nonprofit organizations that are formed in the province and registers all out-of-province companies carrying on business in Prince Edward Island. Selected business enterprises such as insurance companies, securities issuers, real estate firms, credit unions and other financial institutions in the province are regulated through this division.

Crown Attorneys' Division
Represents the Attorney General and deals with all offences under the *Criminal Code* and provincial statutes.

Environment Division
The Environment Division runs a wide range of programs, services and activities that protect our environment, as well as public health and safety.

Finance and Corporate Management Division
This division provides financial administration and human resource administration services to the Department of Environment, Labour & Justice.

Labour and Industrial Relations Division
The mandate of the Labour and Industrial Relations division is to assist in providing a stable and fair environment for industry and, in doing so, maintain uninterrupted production of goods and services.

Legal Aid Division
Provides criminal legal aid to persons unable to afford legal representation in serious criminal matters. The Division also offers civil and family legal aid to eligible applicants, with priority given to those who cannot afford the services of a lawyer in the most urgent family situations.

Legal and Judicial Services Division
Maintains the administrative structure for court services and provides legal services to government.

Legislative Counsel Office
Drafts and co-ordinates the publication of all government bills and regulations for the Government of Prince Edward Island.

PEI Office of Public Safety
This division is comprised of the 911 Administration Office, the Provincial Fire Marshal's Office, PEI Emergency Measures Organization and the Business Continuity Management Program for Corporate Government.

Policy, Policing and Community Safety Division
Provides policy analysis, advice and development; serves as provincial liaison for federal/provincial/territorial (FPT) criminal justice, research, statistics and human rights committees; develops provincial policing policy and co-ordinates police training; provides planning, FOIPP and communications co-ordination for the department; provides Access and Privacy Services support to government; supports work on community safety, crime prevention and Aboriginal justice; and encourages community involvement in justice issues.

Net Ministry of Environment Labour and Justice

	FY13 Budget	FY13 Actuals
REVENUE		
Government of Canada	4,950,300	4,572,613
Licenses & Permits	10,255,800	9,993,434
Fees & Services	9,546,400	9,323,553
Other	360,000	364,032
Taxes	10,800,000	11,039,000
GROSS REVENUE	35,912,500	35,292,632
EXPENDITURE		
Minister's/Deputy Ministers Office	465,100	418,777
Environment	12,239,800	11,944,026
Community Safety & Justice Policy	4,476,400	4,597,097
Legal Services	3,535,400	3,549,584
Legal Aid	1,697,400	1,584,750
Consumer, Labour & Financial Services	1,908,600	1,813,425
Crown Attorneys	1,313,700	1,228,960
Community & Correctional Services	15,767,600	15,208,656
Policing Services	14,965,400	16,491,727
Court Services	3,702,300	3,567,880
GROSS EXPENDITURES	60,071,700	60,404,862
NET MINISTRY EXPENDITURE	24,159,200	25,112,230

Environment

Beverage Container Program

The Beverage Container Program is responsible for the administration of the Beverage Container Act (2008) and the operation of an efficient and effective system for the recovery and recycling of used beverage containers (non-refillables). Island consumers purchase approximately 61.5 million recyclable containers per year (424 beverages per person), in a wide variety of container types.

Through a network of privately operated Beverage Container Depots, close to 49 million containers are recovered annually, for a recovery rate of approximately 80%; that is among the highest recycling rates in North America. Aluminum cans account for 55% of all containers, while PET plastic containers make up close to 31% of containers sold. Used Beverage Container (UBC) Aluminum is baled and sold to Coca-Cola Recycling, plastic containers are processed by NovaPET in Amherst, NS for reuse in containers and clothing, while glass is processed as local aggregate.

The Beverage Container Program issues over $2.2 million dollars per year in consumer refunds that has helped reduce road side litter by placing a value on discarded beverage containers and diverting over five million pounds of material from our landfills.

Climate Change and Air Quality Section

The Climate Change and Air Quality section is responsible for a wide range of programs, legislation and activities which include climate change, outdoor air quality, ozone layer, and hazardous materials. This section also responsible for the management, administration and licensing associated with the storage and application of pesticide products. Specific program areas include:

- Air Quality Monitoring and Protection Programs
- Business Continuity Planning
- Hazardous Materials
- National and Provincial Greenhouse Gas Emissions Reduction Programs / Initiatives
- National, Regional and Provincial Climate Change Adaptation Programs / Initiatives
- Ozone Layer Protection Programs
- Pesticide Use and Regulation Program

Air Quality Monitoring and Protection Programs
The Air and Hazardous Materials section continues to monitor and protect air quality. Air monitoring stations at Charlottetown, Southampton and Wellington (part of Environment Canada's National Air Pollution Surveillance program) monitor ground level ozone, sulphur dioxide, nitrogen oxides, mercury, particulate matter and acid rain. Environment Canada supports these stations and the Department continues to maintain equipment, collect and calibrate data, and share data with Environment Canada and the U.S. Environmental Protection Agency. This data supports the provincial Air Quality Health Index.

Prince Edward Island, along with all other jurisdictions in Canada (except Québec), began implementing a new air quality management system (AQMS). AQMS is a comprehensive approach for improving air quality in Canada and is the product of unprecedented collaboration by the federal, provincial and territorial governments and stakeholders. It includes new Canadian Ambient Air Quality Standards (CAAQS) and industrial emission requirements for major industries in Canada.

There are few large sources of air pollution in Prince Edward Island. Industrial sources are regulated under the Environmental Protection Act Air Quality Regulations. The Air and Hazardous Materials section issued 42 air quality permits in 2012 / 2013. Permitted facilities included 11 industrial fuel-burning equipment, 6 incinerators, 8 asphalt plants, and 17 used oil burners. Permit holders must meet ambient air contaminant ground level standards (PEI Environmental Protection Act Air Quality Regulations, Schedule A).

Eighty-nine (89) complaints or concerns over local air quality were investigated. Many of these complaints relate to commercial and residential biomass units. As a result, staff worked on amending the Environmental Protection Act Air Quality Regulations. These amendments would regulate commercial biomass units.

Climate Change Mitigation and Adaptation Programs
Prince Edward Island has been a participant in the Regional Adaptation Collaborative (RAC) Program, a collaborative of the Government of Canada and the Atlantic Provinces. Staff worked to complete projects on coastal risk and vulnerability, inland risk and vulnerability, groundwater resources and community engagement. Numerous reports, assessments, guides, tools and workshops were completed including:

- climate change conference (annual),
- climate change scenarios for Island communities,
- coastal erosion and hazard data (province-wide),
- community vulnerability assessments in four Island communities,
- inland flooding assessment along the Hillsborough River,
- rainfall intensity statistics updated,
- saltwater intrusion risk in Summerside and Lennox Island,
- shoreline classification and vulnerability to flooding index, and
- storm water assessment in Stratford.

The Atlantic Provinces entered into a new agreement with Natural Resources Canada to continue regional adaptation work in the region (RACII), albeit with significantly less funding. This program will provide resources to enhance adaptation capacity in Prince Edward Island and will be completed in February 2016. Staff also worked to develop proposals for additional adaptation work on long-term coastal adaptation options and the costs and benefits of these options.

Staff conducted 33 internal coastal hazard assessments of subdivision and development applications. An additional 13 assessments were conducted at the request of property owners, developers and prospective buyers of coastal property.

Prince Edward Island and Climate Change - A Strategy for Reducing the Impacts of Global Warming was released in November 2008. The strategy includes 47 action items that strive to reduce greenhouse gas emissions, enhance carbon sinks, and prepare for climate change. Staff continues to work on the completion of these action items.

Hazardous Materials

Commercial and industrial hazardous waste is regulated by the Environmental Protection Act Waste Resource Management Regulations. Generators, carriers and receivers of hazardous waste are required to register with the Department. At the end of 2012 / 2013, four new hazardous waste generators were registered. Carriers of hazardous waste continue to report the amount of waste shipped from the province for proper disposal and / or recycling.

Excluding petroleum, twenty-one complaints or concerns over hazardous materials were received by the Department. These included spills or discharges of chemicals and inappropriate handling of hazardous waste.

Ozone Layer Protection Programs

Ozone depleting substances (ODS) are regulated by the Environmental Protection Act Ozone Layer Protection Regulations. All persons handling ODS must register with the Department, and those purchasing ODS must be licensed by the Department. Generally, over 100 handler registrations and purchase licenses are processed each year.

Several complaints were received this year regarding the installation of ductless mini-split heat pumps by unqualified installers. This increases the risk of an unintentional discharge of an ozone depleting substance into the environment. Staff met with stakeholders to discuss this issue and drafted an amendment to the Environmental Protection Act Ozone Layer Protection Regulations.

Pesticide Regulatory Program

Licenses were issued to businesses applying pesticides (31) as well as those selling pesticides for domestic (14) and non-domestic (24) use. Permits were issued for pesticide purchase (28) and for biting fly control (23).

Pesticide applicators were certified by the Department through examinations and continuing education. New applicants were required to pass an exam to receive their certification. Those that have previously been certified could renew their certification by examination or by participating in continuing education sessions. A total of 157 exams were administered and 85 continuing education credits awarded. In total, 831 pesticide applicator certificates were issued.

Drinking Water and Wastewater Management Section

The Drinking Water and Wastewater Management Section is responsible, under the Environmental Protection Act, for the regulation of central drinking water and wastewater systems in the province, through the administration of the Drinking Water and Wastewater Facilities Operating Regulations and some elements of the Sewage Disposal Systems Regulations. In addition, the section provides interpretation and assistance on drinking water quality issues to other sections of the Department and the general public, and is also is involved in various initiatives and studies related to the general field of drinking water and wastewater quality and management.

The section continued its focus on the registration and classification of the province=s smaller public drinking water systems, and by year end, a total of 137 systems were registered including all municipal water supply systems, and 123 small or very small water systems. A total of 58 central wastewater systems were registered by year end, with approximately one-half being municipal systems and the remaining being comprised of systems serving schools, private developments or institutional facilities. During the year, approximately 40 exams were written by candidates for operator certification.

The section also issues Certificates of Approval (COAs) for the construction and operation of central water supply and wastewater collection and treatment systems. In 2012-2013, a total of 31 COAs were issued for the construction of water and wastewater infrastructure with a value of over $13 million. The section is also responsible for providing authorization of wastewater discharges or other activities needed during maintenance or system upgrades. In 2012-13, 18 COAs were issued for such activities.

In 2009, the Canadian Council of Ministers of the Environment (CCME) signed the Municipal Wastewater Effluent Strategy (MWWE), which sets the stage for a harmonized, one-window approach to the management of municipal wastewater. This will involve amendments to the federal Fisheries Act and regulations. The MWWE strategy implementation is expected to span a number of years.

Section staff monitor the results of all drinking water and wastewater system discharges for public health and safety, and provide comments and direction to Islanders on water quality interpretation, and where necessary, advice on appropriate corrective actions. Support was also provided to other sections through review and interpretation of water quality monitoring results for landfill sites, C&D sites and related issues.

In addition to these regular duties, section staff are engaged in conducting or supporting various research initiatives related to drinking water or wastewater issues. Staff continued to participate in research relating to the efficacy of practices aimed at reducing nitrogen losses from

commercial potato production. Section staff led a collaborative project, involving the Atlantic Provinces, examining the potential consequences of climate change on salt water intrusion in coastal aquifers and drinking water supplies.

Environmental Land Management Section

The Environmental Land Management section (ELM) oversees a wide variety of environmental legislation including undertakings as defined under section 9 of the Environmental Protection Act, administration of the Waste Resource Management Regulations, the Excavation Pits Regulations, the Watercourse and Wetland Protection Regulations, the Unsightly Property Act, the Automobile Junkyard Act, Materials Recycling Regulations, and the Litter Control Act.

Environmental Assessment
The Environmental Impact Assessment (EIA) Group through an assessment considers the physical and biological impacts of proposed developments on the environment: air, water, plants, animals and people. In 2012/2013, a total of four undertakings were approved by the Environmental Assessment section. Projects included an expansion of the existing halibut PEI operation in Victoria, construction of an autobody shop in St. Charles, the opening of a bar clam processing facility, and a great deal of staff time was spent on the assessment for the TransCanada Bypass road construction in the Bonshaw/New Haven area.

As well, this section reviews and provides advice on a number of projects from within the Department. These referrals included sand and salt storage facilities, sewage lagoons, correctional facilities, summer camps and temporary camp-sites, multiple-unit developments (cottages, apartments, senior complexes), etc. From May 1, 2012 to April 30, 2013, a total of 65 projects were reviewed by the EA section.

Petroleum Storage Tank Program, Environmental Record Reviews, Spill Response Team
Part of the new duties of the ELM section includes responding to petroleum spills. Our nine member Emergency Response Team responds to all reported after hours. From May 1, 2012 to April 30, 2013, staff responded to a total of 199 petroleum spills of various types including residential, commercial, and public properties. On average, the Emergency Response Team responds to between 125-130 calls per year.

Staff also respond to Environmental Records Review requests and determine which properties meet regulatory criteria for designation under the Contaminated Sites Registry Regulations. From May 1, 2012 to April 30, 2013, staff processed a total of 146 environmental record review requests. Other duties include reviewing application plans, submitted under the Petroleum Storage Tanks Regulations, for new storage tank system installations, and sending correspondence to tank owners and licensed contractors, making them aware of non-compliance issues.

Excavation Pits, Recycling Plants, C&D Sites, Automobile Junk Yards, Unsightly Properties, and Special Waste

The inspection and permitting of waste management and recycling facilities, excavation pits, and automobile junk yards are also important functions of the ELM section. Ensuring that these types of facilities are operating in compliance with their respective legislation is particularly important for the protection of groundwater and surface water resources.

In 2012/2013, a total of two composting facilities, 41 recycling facilities, 1 landfill facility, 4 construction and demolition debris sites, 201 licensed pits, 39 automobile junk yards were permitted to operate by the department. A new responsibility of the ELM section is the issuance of all types of Special Waste Permits for disposal of hazardous materials. In 2012/13, approximately 184 Special Waste Permits Permits were issued. The permits cover a wide variety of areas including asbestos insulation and siding, diseased plants, drug seizures, pharmaceuticals, etc. However, a large portion of the permits are issued to deal with the tracking and transportation of petroleum contaminated soil to the East Prince Waste Management Facility.

ELM Environment Officers also carried out numerous inspections of properties under the Unsightly Property Act in 2012/2013. Many of these properties required repeated visits and/or follow-up inspections in an effort to have problem areas addressed. Three unsightly property site cleanups were carried out across PEI in 2012/2013.

Watercourse/Wetland/Buffer Zone Permitting Program

In June of 2012, the department initiated fees for various types of activities permitted under the Watercourse and Wetland Protection Regulations. Fees are now charged for all activities except for those carried out by licensed contractors, watershed and community improvement groups, and provincial departments, crown corporations and agencies. In recent years, an enhanced contractor licensing program has resulted in increased service provider responsibility, project efficiency and protection of the environment, while focusing staff time on education and auditing activities. In 2012/2013, staff issued approximately 384 Watercourse, Wetland and Buffer Zone Permits, this is a decrease from 502 from the previous year.

Inspection Services

The Inspection Services section is responsible for the provision of a coordinated and integrated delivery of regulations and codes aimed at protecting public health, safety and the natural environment. The subject areas include land use regulations pertinent to subdivision and development, Acts and regulations for the adoption of the Canadian Electrical Code, Canadian Elevator Safety Code, Amusement Device Codes, the National Plumbing Code, the American Society of Mechanical Engineers (ASME) codes for boiler and pressure vessels safety and building standards for barrier free design (National Building Code Canada).

In licenses, applications, permits and inspection fees, the section brought in a total of $1,300,290 in revenue in the report year 2012 2013. The staffing framework of the Inspection Services section consists of a Manager of Inspection Services, Supervisor of Administration and Customer Services, four Chief Officers and 25 technical and regulatory personnel.

The section delivers its programs and services through the following operational work units:

- Administration and Customer Services
- Boilers, Pressure Vessels, Plumbing and Home Heat Tank Unit
- Building and Development Unit
- Electrical Unit
- Elevator and Amusement Device Unit

Administration and Customer Services

The Administration and Customer Services section is a front line, service delivery operation located in the J. Elmer Blanchard Building at 31 Gordon Drive in Charlottetown. Staff includes a supervisor and five safety standards technicians who provide a broad range of services to contractors in the building, septic, electrical, plumbing, boiler, home heat tank, elevator, and amusement ride inspection areas as well as to land surveyors and the general public.

This work unit is responsible for all data collection, information processing and distribution of applications, permits, licenses and financial management required to meet minimum safety standards operation.

Boiler, Pressure Vessel and Plumbing Unit

This unit, staffed by a Chief Inspector and seven inspectors, administers the Boilers and Pressure Vessels Act and Regulations, Power Engineers Act and Regulations and the Environmental Protection Act Home Heat Tanks Regulations and A Code for Plumbing Services Regulations.

The primary objective is to ensure the protection of life and property where boilers, pressure vessels, liquified petroleum gas and compressed natural gas are being used. Services are provided out of the Charlottetown office and Access PEI sites in Summerside and Montague.

Public health and safety is also protected through the administration of the Environmental Protection Act A Code for Plumbing Services Regulations which adopts the Canadian Plumbing Code, and the Sewage Disposal Systems Regulations. Three inspectors carry out final installation inspections of on site sewage disposal systems.

The unit also provides the following services on an on-going basis:

- design review and registration for boilers, pressure vessels, pressure piping and fittings;
- testing, inspection, and issue of certificates for boilers and pressure vessels;
- review and registration of welding procedures, and qualification testing of welders and braziers;
- registering quality control manuals and licensing mechanical contractors;
- approval and registration of plans for L.P. Gas systems, random inspection of consumer sites, plants and vehicles, and the issuance of repair orders;
- examination, certification and licensing of personnel involved in handling propane gas including fabrication, installation, and repair;
- examination, certification and licensing of power engineers and registration of power plan;
- review and issue of plumbing permits, inspections and testing of plumbing systems; and
- inspection of on site sewage disposal system installations.

The following table outlines the activities undertaken by this unit during fiscal 2012 – 2013.

Design Registrations: Boilers, Pressure Vessels, Pressure Piping, and fittings	696
Inspection and Investigation: Boilers and Pressure Vessels	2705
LP Gas Bulk Trucks, Plants, Consumer Sites, Pressure Tests and Reinspection	305
LP Gas Permits Issued	178
Accidents	4
Injuries Fatalities	0
Potential Hazards Boilers and Pressure Vessels and LP Gas	410
LP Gas Certified Personnel: Bulk Plant Operator, Dispenser Operator, Tank Truck Operator, Domestic Gas Fitter, Cargo Line Operator and Industrial Gas Fitter	331
LP Gas Examinations Conducted	40
Licensed Power Engineer's: First, Second, Third and Fourth Class	285
Refrigeration License Class A & B	30
Power Engineer's Examinations Conducted	103
Registered Plants Requiring Licensed Power Engineers	29
Registered Welding/Brazing Procedures	300
Welders/Brazers Certified	32
Registered Mechanical Contractors	142
Plumbing Permit Activity: Plumbing Permits Issued	809

Home Heat Tank Program

In 2012, the administration of the Home Heat Tank Program was moved to Inspection Services under the supervision of the Chief Boiler Inspector. At Inspection Services, the Department continued to lead the country in preventive efforts to avoid petroleum spills from home heat tank systems. In 2012, the Department recorded a record low, with only 98 spills related to home heat tank operation (18 of which were less than five (5) litres in volume) compared to 293 in 2001. On April 1, 2012, the newly amended Home Heat Tank Regulations came into effect. The amendments ensured that higher quality tanks, valves and filters would be installed to further decrease the number of oil spills. The amendments also required that a licensed home heat tank installer carry environmental liability insurance. As well, effective July 1, 2020, all tanks installed will be required to be constructed of non-metallic material. Also at this time, the construction standards previously in the regulations were moved into a new Home Heat Systems Technical Standards Handbook and an on-line course was established to certify Home Heat Tank Installers.

Fees Collected Boiler, Pressure Vessel and Plumbing Unit

Boiler Inspection Fees $286,243
Power Engineer and Propane Fees $74,207
Plumbing Permit Fees $138,024
Total Revenue $498,474

Building, Development and Subdivision Unit

This unit is staffed by a Chief Officer, five Safety Standards Officers and three part time Officers. The unit administers the Planning Act and Subdivision and Development Regulations, Roads Act Highway Access Regulations, Building Code Act Barrier Free Design Regulations and the Environmental Protection Act Sewage Disposal Systems Regulations and Water Well Regulations. These regulations provide minimum requirements for building and development, on site sewage disposal, well construction, highway access, barrier free design and the subdivision of land. The officers administer the regulations from headquarters in Charlottetown and from Access PEI Centres in Montague, Summerside, O'Leary and Souris. They assist clients through the development approval process including consultation, site planning, site assessment and compliance with the regulations.

Development and Septic

In fiscal 2012 2013, a total of 1,641 permits were approved for development and septic systems. Of the total permits approved, 922 were structures and 719 were septic systems. Development permit approvals increased 1.3 percent compared to 2011 2012. There was a 3.7 percent decrease in permits issued for new residential dwelling units, while summer cottages saw an increase of 3.3 percent. There was a 8.6 percent increase in septic permits issued and septic registered documents received over the previous report year.

The following table shows permits issued and application fees received for building and sewage in the four regions served.

Permits and Fees 2012 - 2013

Permits Issued			**Fees Collected**	
Location (Region)	**Development Permits**	**Septic Permits/ Registered Doc**	**Development Fees**	**Septic Fees**
Montague/Souris	**204**	**182**		
Charlottetown	**366**	**318**		
Summerside	**240**	**150**		
O'Leary	**112**	**69**		
Totals	**922**	**719**	**$178,488**	**$43,233**
Totals All Areas	**1641**		**$221,721**	

Septic Permits and Registered Documents Received by Type

Location (Region)	New Septic System	Replacement System	Upgrade/Repair	Tank Only
Montague/Souris	127	46	1	8
Charlottetown	240	38	4	36
Summerside	112	22	3	13
O'Leary	42	20	3	4
Totals	**521**	**126**	**11**	**61**

The following table shows a breakdown in the percentages of development permits issued for various uses by region. The miscellaneous permits include other structures not listed in the permit type.

Permit Type	Charlottetown	Montague/Souris	Summerside	O'Leary	# of Permits	%
Residential	96	41	61	36	234	25
Mobile Homes	34	31	17	5	87	9
Summer Cottages	65	23	53	15	156	17
Rental Cottages	1	0	1	0	2	0
Industrial / Commercial	0	0	0	0	0	0
Commercial Storage	2	0	0	1	3	0
Private Garage /Storage	106	56	54	29	245	27
Agricultural Development	6	3	2	5	16	2
Building Additions	37	33	41	10	121	13
Miscellaneous	19	17	11	11	58	6
Totals	**366**	**204**	**240**	**112**	**922**	**100**

The following table shows Development Permits issued by region for new single family dwellings and summer cottages from 2007-2013.

	2007-2008		2008-2009		2009-2010		2010-2011		2011-2012		2012-2013	
Location	**sfd**	**sum**	**sfd**	**sum**	**sfd**	**sum**	**sfd**	**sum**	**sfd**	**sum**	**sfd**	**sum**
Montague/ Souris	33	22	37	15	41	38	55	26	42	19	41	23
Charlottetown	121	56	141	49	122	46	103	49	100	76	96	65
Summerside	58	57	61	28	35	35	48	32	71	39	61	53
O=Leary	23	17	38	10	4	4	19	6	30	17	36	15
Total	**235**	**152**	**277**	**102**	**202**	**123**	**225**	**113**	**243**	**151**	**234**	**156**

Subdivisions

During fiscal 2012 2013, a total of 686 applications were received and filed for subdivisions. Application fees received in the report year amounted to $50,060. Final approval was granted for 272 subdivisions containing a total of 272 lots. This represented a 20% decrease in the total number of lots approved from the previous fiscal year. Lots approved for single family dwellings were down by 17%, while lots for summer cottages were down by 58%.

The following table shows, by region, the number of subdivision applications (App), subdivision approvals and applications for site assessments, applications cancelled, denied and pending.

Location	Subdiv App	Applications Approved	Site Assess	Cancelled App	Denied App	Pending App	Preliminary Approvals
Montague/ Souris	140	67	21	1	0	41	8
Charlottetown	252	107	51	4	1	53	19
Summerside	158	60	22	0	0	73	3
O'Leary	136	38	70	0	0	27	0
Total	**686**	**272**	**164**	**5**	**1**	**194**	**30**

The following table shows the locations and the use of lots created through subdivision approvals

Location	Single Family	Summer Cottage	Industrial/ Commercial	Agriculture	Misc.	Total
Montague/Souris	19	4	0	7	37	67
Charlottetown	61	8	6	7	25	107
Summerside	38	4	1	6	11	60
O'Leary	20	2	2	1	13	38
Total	**138**	**18**	**9**	**21**	**86**	**272**

The following table shows lots approvals for single family dwellings and summer cottages from fiscal years 2007-2013.

	2007-2008		2008-2009		2009-2010		2010-2011		2011-2012		2012-2013	
Location	sfd	sum	sfd	sum	sfd	sum	sfd	sum	sfd	sum	sfd	sum
Montague/Souris	110	81	47	40	37	14	44	11	36	8	19	4
Charlottetown	132	95	226	160	149	34	91	11	73	22	61	8
Summerside	68	36	53	87	44	11	41	7	39	8	38	4
O'Leary	13	14	33	3	20	0	25	2	19	5	20	2
Total	**323**	**226**	**359**	**290**	**250**	**59**	**201**	**31**	**167**	**43**	**138**	**18**

Electrical Unit

The staff in this unit are responsible for the administration and enforcement of the Electrical Inspection Act and Regulations and the Lightning Rod Act. Regulations under the Electrical Inspection Act govern the licensing of Electrical Contractors and adoption of the Canadian Electrical Code application to electrical construction wiring and electrical products. Through the adoption of the Canadian Electrical Code and Regulations, the Province established minimum safety requirements for the installation and maintenance of electrical equipment. The section is staffed by a Chief Electrical Inspector and three full-time electrical inspectors. They provide service in all the regional areas of PEI. Staff in this section are also trained to conduct electrical fire investigations.

The following table shows the activities undertaken by this unit during the report year.

Electrical Installation Permits Issued	**4099**
Power Connection Permits Issued	**3235**
Electrical Contractors Licensed	**165**
Special Licenses	**1**
Restricted Licenses	**18**
Restricted Technicians	**24**
Licensed Lightening Rod Firms	**1**

Fees

Electrical Unit Fees Collected $366,640
Electrical Contractor Licenses Fees.....$34,336
Total.....$400,976

Elevator and Amusement Device Unit

This unit is staffed by a Chief Officer and an Elevator Inspector. The unit is responsible for the administration and enforcement of the Elevators and Lifts Act and Regulations and the Amusement Devices Act and Regulations. The regulations under the Elevators and Lifts Act adopt the CSA Safety Code for Elevators which provides for public safety in the operation of elevators and lifts. The Act and regulations govern the operation of amusement devices to minimize the probability of accidents and injuries for users of such devices.

The following table shows the activities undertaken by this unit during the report year.

Elevator Certificates, Inspections, Licenses 2012-2013

Annual Elevator Inspections	**589**
New Elevator Installations	**15**
Contractors Licenses (every 3 years)	**0**
Installer Licenses (every 3 years)	**0**
Amusement Device Inspections	**81**

Fees

Elevator Fees Collected $113,118
Amusement Device Fees Collected.....$ 8,615
Total Fees Collected.....$121,733

Prince Edward Island Analytical Laboratories

The Prince Edward Island Analytical Laboratories is responsible for the management of the province's water microbiological and water chemistry laboratories. As a result of the cooperative arrangement between the Department of Agriculture and Forestry and the Department of Environment, Labour and Justice, PEIAL is made up of a total of five different labs which reside in the two departments.

In June 2012, these labs were re-located to a new, common facility located in the Bio-Commons Park at the end of the Charlottetown bypass. This facility allows for an increased sharing of staff, equipment and supplies resulting in a more efficient and cost effective service for all user clients. The new location also allows easier client access and sample drop than the previous lab locations.

The lab is accredited by the Standards Council of Canada. The Environment program areas include:

- Drinking water quality analyses
- General water quality analyses for ground and surface waters to determine the health of water for interests including aquatic habitat, the fishery, recreation, and aesthetics
- Wastewater programs

Water Samples Analyzed 2012/2013	
Type	Number
Drinking Water	12663
Surface Water	1635
Wastewater	1037

Watershed and Subdivision Planning Section

The Watershed and Subdivision Planning Section administers the Watershed Management Fund (WMF) that provides technical and financial assistance to community watershed organizations who are working on watershed restoration and/or watershed planning. In 2012, 23 watershed groups were funded through this watershed management initiative awarding a total of $808,000 to community groups. Priority funding areas continue to include watershed plan preparation, facilitation and strategic planning, and building capacity of watershed organizations. In an effort to foster higher capacity watershed groups with more stable access to funding, multi-year contracts were provided to seven watershed groups. In addition, where possible, these larger watershed groups were provided summer student assistance. By 2012, 18 community based watershed management plans had been developed. Stream enhancement, fish passage restoration, riparian and upland tree planting, wetland enhancement and watershed group newsletters were also carried out by many watershed organizations.

The section continued support for the PEI Watershed Alliance by seconding staff and providing operational resources thereby adding capacity to the services and organization the Alliance provides to watershed groups across the Island.

The development of a watershed strategy by a partnership of government, the Watershed Alliance and watershed groups was continued. This strategy will guide future watershed work and government programs into the future as they work together to improve water and wildlife habitat across PEI.

Along with the Inspection Services Section, the Watershed and Subdivision Planning Section assesses and approves subdivisions in areas of the province without official plans and bylaws. In 2012, 272 subdivision approvals were issued by the two sections.

Long-term water quality monitoring was continued on groundwater, fresh water and estuary sites as part of the Canada-PEI Water Quality Agreement. Other programs monitor estuaries and streams across the Island for receiving water quality and freshwater loading. In addition, over 100 groundwater locations, three rivers and several fish and shellfish collections were monitored for pesticides. The section also provides extensive estuarine monitoring results to Environment Canada that is utilized in the classification of shellfish growing areas.

The section regulates the use of groundwater in the province. In 2012, three groundwater exploration permits and two groundwater extraction permits were issued.

The section continues to operate electronic monitoring sites for groundwater level, stream water level and water quality parameters. The network now includes 23 groundwater monitoring sites and 11 surface water monitoring for a total of 30 sites.

Web based data reporting is a strong component of the section's outreach to the Island public. A groundwater quality reporting web based mapping application allows the public to determine groundwater quality in the area where they live. Surface water results were available in a web-based mapping application with daily updates. Groundwater level information was available real time for 10 stations. Stream water level data from 8 stream gauging sites was able to be viewed online to determine whether there is sufficient water in the stream to use for irrigation purposes.

The Regional Technical Advisory Group (RTAG) of four maritime scientists and section support assistance continued to make progress on watershed nutrient loading targets for PEI estuaries. The group consolidated their work in a technical report which will be submitted for peer review in the spring of 2013. The nutrient loading model is being updated by adding a 5th year of land use data (2010) to the calculation and developing nitrate loading targets for the entire province.

Hydrogeological staff participated in the study of the environmental benefits of beneficial agricultural practices as part of the federal Watershed Evaluation of Beneficial Practices (WEBs) Program. This work seeks to establish the reduction in leached nitrate to groundwater by using spring tillage practices. Hydrogeological staff started collaborating with expert researchers from the Universities of Guelph and Calgary funded by the Canadian Water Network assessing the importance of the fractures in bedrock on nitrate contamination in PEI's groundwater. Section

staff completed a sustainability assessment of the management of the Island's groundwater as part of the development of a Canadian Council of Ministers of the Environment framework for determining groundwater sustainability.

Alternative Land Use Services Program

The Alternative Land Use Services (ALUS) Program is a province-wide ecological goods and services initiative to secure environmental improvements on agricultural land above and beyond those required by regulation. The ALUS program financially rewards farmers and landowners for retiring small areas of private agricultural land for environmental benefits.

The goals of the ALUS program are to reduce soil erosion and siltation of watercourses and wetlands; improve water quality; improve and increase wildlife habitat; and reduce the impacts of climate change.

The program has a one million dollar annual budget and is co-managed by the Department of Environment, Energy and Forestry and the Department of Agriculture. During fiscal 2012- 2013, there were 17 new applications received. There are now 385 cooperating farmers and landowners in the program. Expenditures to farmers and landowners during the year were approximately $625,000.

The federal Dept. of Fisheries and Oceans began the second of a three year commitment to contribute to the ALUS program. In addition, it also contributed resources for the program to assess, through researchers at UPEI, the beneficial effects of the sediment abatement activities on PEI streams and the development of an efficient sediment monitoring system.

Labour

Labour & Industrial Relations Division

Faye M. Martin, Manager

The mandate of the Division is to assist in providing a stable and fair environment for industry and labour and, in doing so, maintain uninterrupted production of goods and services.

During the first quarter of 2013, the Prince Edward Island labour force averaged 84,800 compared to 81,400 in the first quarter of 2012, an increase of 4.1 percent (Statistics Canada, April, 2013). The number of persons employed during that same period averaged 74,700 (Statistics Canada, April, 2013). A total of 16,901 persons were unionized as of December, 2011 (last statistics available).

Labour Canada quotes major collective bargaining settlements for all industries in 2012 provided base rate wage adjustments averaging 1.65 percent annually, a decrease from 1.8 percent in 2011. Wage adjustments averaged 1.7 percent for the public sector, the same as in 2011, and 1.7 percent for the private sector, an decrease from 2.1 percent in 2011. The last time both sectors registered adjustments below 2.0% was in 1998 (Statistics Canada).

Statistics Canada shows the Prince Edward Island average weekly earning industrial aggregate for 2012 as $742.10 compared to $722.97 in 2011. This represents an increase of 2.65 percent. The inflation rate for fiscal 2012 / 2013 was 1.8 percent (Statistics Canada). The average weekly earning aggregate for Canada for 2012 was $896.81.

Conciliation Services

During the reporting period, the Minister appointed a Conciliation Officer for the following cases:

- Health PEI / UPSE - in arbitration
- The Association of Commercial and Industrial Contractors of PEI / United Association of Journeymen and Apprentices of the Plumbing & Pipe Fitting Industry of the USA and Canada, Local 721 - in conciliation
- Canadian Corps of Commissionaires / Public Service Alliance of Canada - settled

Employment Standards Division

Robert Yeo, Chief Labour Standards Officer

The mandate of the Employment Standards Division is to administer the *Employment Standards Act*. The Act establishes employee entitlements with respect to payment of wages, vacation pay, statutory holidays, notice of termination, minimum wage rates, overtime pay, maternity and parental leave protection.

The Division, in carrying out its mandate, provides factual information to the public through telephone contact, office interviews, information seminars, routine inspections and distribution of Departmental literature. Several information seminars were conducted throughout the province.

Over 7500 pieces of information and legislation were printed and distributed. This information is available to the public at the Regional Services Centres, all Access PEI centres, on our website at www.peiemploymentstandards.ca and at our office in the Sherwood Business Centre, 161 St Peters Road.

During the period 1 April 2012 to 31 March 2013, the Division was called upon to investigate 88 formal complaints, of which, 57 resulted in the collection of $48,366.54.

The Branch issued 8 formal Orders to employers for non-payment of monies owing to former / current employees totalling $12,182.87.

The Branch filed judgments on behalf of 3 employees amounting to $3,806.19. The Branch collected $8,031.92 from judgments filed in a previous fiscal year. This money was distributed to the 3 employees affected.

The Branch conducted 1 company audit on behalf of 3 employees and collected a total of $17,079.64.

The Branch conducted 6 proactive inspections in the fiscal year 2012/2013.

The Branch conducted 43 *Employment Standards Act* briefing sessions involving 306 employers / employees.

The Division handled 8200 inquiries and conducted 38 office interviews during the period 1 April 2012 to 31 March 2013.

Employment Standards Board

Don MacCormac, Chair
Wayne Vessey, Vice-Chair

Employer Representatives

Brian Waugh
Douglas MacKenzie
Elaine Thomson

Employee Representatives

Don Pendergast
Vimy Gregory

The primary role of the Employment Standards Board is to hear appeal presentations from employers or employees relevant to alleged violations of the *Employment Standards Act*. The Board, in accordance with the *Act*, annually makes a recommendation to the Lieutenant Governor in Council on changes to the Minimum Wage Order.

During 1 April 2012 to 31 March 2013, the Board met on three (3) occasions dealing with a total of 3 employee claims and two (2) full board meetings.

On 1 April 2012, the minimum wage on Prince Edward Island increased from $9.60 per hour to $10.00 per hour.

The Employment Standards Board is located in the Sherwood Business Centre, 161 St Peters Road.

Labour Relations Board

Nancy Birt, Chair
Karen MacLeod, Vice Chair
Matthew MacFarlane, Vice Chair
Shawn M. Shea, Chief Executive Officer

Employer Representatives

Fraser MacDougall
Judy Hughes
John Cormier
Tania MacKenzie

Employee Representatives

Michael Lund
Raymond McBride
Blair James

The Labour Relations Board provides a quasi judicial process to resolve applications that either management or labour may bring before it. The Board attempts to provide a speedy resolution for all matters while at the same time trying to provide for and maintain harmonious labour relations in the Province.

For the fiscal year 2012-2013 the Board received twenty eight (28) applications and three (3) were carried over from previous fiscal years for a total of 31 applications; eighteen (18) of which have been settled, four (4) have been dismissed; two (2) have been withdrawn; two (2) have been stayed; and, five (5) are ongoing.

The Labour Relations Board is located in the Sherwood Business Centre, 161 St Peters Road.

Worker Advisor Program

Maureen Peters, Worker Advisor

On January 1, 1995, a new *Workers Compensation Act* for Prince Edward Island became effective. Section 85 of this *Act* provides for the service of a Worker Advisor to assist injured workers in respect of claims for compensation.

Pursuant to section 85.(2) of the *Act*, the Workers Compensation Board (the "Board") shall make annual grants to the Province of PEI Department of Community and Cultural Affairs (now the Department of Environment, Labour and Justice) in such amounts appropriate to cover the costs of providing services under this section of the *Act*. For the year 2012, the recorded funding disbursement by the Board for the operation of the Worker Advisor Program was $154,400.00.

Although the Board is responsible for funding of the Worker Advisor Program, they do not have any direct control or influence over the operations of the Program and its service delivery to stakeholders. There is no reporting required to the Board other than annual budget estimating. The accountability and supervision of the Worker Advisor Program is under the Labour and Industrial Relations Division within the Department of Environment, Labour and Justice. The office is located at the Sherwood Business Centre, 161 St. Peters Road.

The Worker Advisor Program provides information, advice and assistance to workers, and/or their dependants, on matters involving Workers Compensation. This includes issues arising pursuant to the *Workers Compensation Act* and Regulations, the *Occupational Health & Safety Act*, and Board policies and procedures.

The Worker Advisor may assist and/or represent the worker and/or their dependants before the Board at the Customer Service level and the Internal Reconsideration level, as well as before the Workers Compensation Appeal Tribunal and the PEI Court of Appeal. During the fiscal year 2012-2013, the Worker Advisor Program recorded the following statistics:

Worker Advisor Activity:		
Recorded Office Contacts	-	1,286
Case Files Opened	-	51
Active Files Administered	-	107
Internal Reconsideration (IR):		
Requests for IR Submitted	-	37
Cases Accepted at IR	-	5
Cases Denied at IR	-	25

Workers Compensation Appeal Tribunal (WCAT):

Notices of Appeal Filed	-	27
Hearings Attended	-	15
Cases accepted WCAT	-	4
Cases Denied at WCAT	-	9
Cases Withdrawn at WCAT	-	5

Court of Appeal:

Appearance at Application for Leave to Appeal Hearing	-	1

Justice

Community and Correctional Services Division

Director: John R. Picketts

Mandate

The Community and Correctional Services Division is an essential part of the criminal justice system, mandated to enhance public safety by contributing to the rehabilitation of youth and adult offenders, and providing services to victims of crime. The Division delivers a variety of programs through six sections: Victim Services, Community Services, Correctional Services, Clinical Services, Corporate Section and Planning and Development. The Division also contributes to public education, community development, crime prevention, research and policy and program development.

Divisional priorities for 2012-2013 were focused on three broad goals :

- individuals are safe and secure from crime, the rights of people are protected and crime is reduced;
- the Community and Correctional Services Division is able to recruit and retain a qualified and motivated staff complement; and
- ensure that Community and Correctional Services Division is well positioned to meet current and future service demands.

Corporate Services Section

The primary areas of responsibility of Corporate Services include: budgetary control, monitoring and forecasting of Divisional revenues and expenditures; assisting the Department with status quo process; negotiating and preparing claims for the numerous federally funded agreements and projects in our Division; lead on federally funded projects; auditing expenditures and processes; leadership role in developing a statistical tracking process for the Division; approving and planning Divisional purchases and monitoring inventory levels; coordinating administration functions and cross training of admin staff; and providing support to Divisional managers in financial and process decisions.

Highlights and Initiatives:

- Improvements to data collection processes and reporting of client information.
- Implementation of Youth Information Management System in Youth Custody.
- Development of data collection tool to assist in program evaluation for community based youth programs.
- Re-negotiated five year federal cost-sharing agreements.
- Establish capacity for Video Conferencing (Webex) at adult and youth facilities.

Priorities for 2013-2014

- Youth Information Management System expanded to included Community Programs and Adult Custody.
- Continued implementation of records management throughout the Division.
- Develop on-line training capacity using e-Learning model.
- Continued improvement of statistical capacity, particular emphasis on community programs.
- Introduce P-Cards and iProcurement to Divisional staff

Planning and Development Section

The primary areas of responsibility of Planning and Development include: human resource planning, staffing, coordination of divisional training, policy development, occupational health and safety, and employee wellness. Regional initiatives continue through participation in the Atlantic Human Resource Committee which report to the Atlantic Heads of Corrections.

Highlights and Initiatives:

- Divisional Distinguished Contribution Awards and long-term service awards presentation at Rodd West Royalty May 2013.
- Recruitment initiatives have enabled the Division to recruit and retain a qualified and motivated staff complement with emphasis on the custody sites.
- A Divisional Mentoring Program is continuing with a positive impact on worksites.
- Work continues with the Atlantic HR Committee with a focus on standardized core competencies for correctional officers in the Atlantic Provinces.
- Work continues with the National Heads of Corrections HR/Training Sub-committee on national standards and screening tools for recruitment and retention of correctional officers.

Priorities for 2013-2014:

- Continue with the divisional Distinguished Contribution Awards and long-term service awards.
- Divisional lead on the Departmental Strategic Plan.
- Expand Divisional Mentoring Program to include more worksites.
- Develop Divisional Training Calendar for 2014-2016.
- Explore a divisional training model for new and current supervisors/managers.
- Continue development of standardized core competencies for correctional officers in the Atlantic Provinces, through the Atlantic HR Committee.
- Explore the possibility of developing a divisional charity event through the Divisional Wellness Committee.

Victim Services

Statistical Overview

The following provides a brief statistical overview of client demand and service trends. Further information and statistics regarding the Victim Services Program and Criminal Injuries Compensation Program are contained in the *24nd Annual Report of the Victims of Crime Act.*

Victim Services cases are categorized in the following classifications: general, sexual abuse, female partner abuse, other family abuse, and commercial/business. The percentage breakdown of new cases by case classification in 2012-2013, and a comparison with previous years, are noted as follows:

Victim Services New Cases			
Type of Client	Per Cent Breakdown		
	2010/11	2011/12	2012/13
General*	57	47	44
Female Partner Abuse	26	26	28
Other Family Abuse	7	10	12
Sexual Abuse	9	9	7
Commercial/Business	1	8	9

** General includes break and enter, damage to property, theft, general assaults, impaired driving causing injury or death, etc.*

Caseload Trends

There were 1,006 new cases referred to Victim Services in 2012-2013, in addition to approximately 825 cases carried forward from the previous year. As of March 31, 2013, there were 645 active cases across the province. The average monthly caseload in 2012-2013 was 822 cases.

Victim Impact Statements

Victim Services is designated by Lieutenant Governor in Council as the program responsible for preparing and filing victim impact statements. In 2012-2013, there were 211 victim impact statements prepared and filed with the court. Over the past ten years, the number of victim impact statements filed has ranged from 195 to 318.

Criminal Injuries Compensation

Under the *Victims of Crime Act*, Victim Services is responsible for receiving applications and investigating claims for criminal injuries compensation. During the fiscal year 2012-2013, 40 new applications for criminal injuries compensation were filed, and 113 applications were carried over from the previous year. Thirty three final decisions and nine interim decisions were made in 2012-2013. A total of $129,252 was awarded in criminal injuries compensation.

Victims of Family Violence Act

The *Victims of Family Violence Act* came into effect in December, 1996. Under this act, Emergency Protection Orders are available 24 hours/day from designated justices of the peace. In non-emergency situations, longer-term Victim Assistance Orders are available by application to the Supreme Court. Victim Services staff assist with training and ongoing monitoring and promotion of the use of the *Victims of Family Violence Act*.

In 2012-2013, there were 52 applications for Emergency Protection Orders under the *Victims of Family Violence Act*, and three applications for a Victim Assistance Order. Since the proclamation of the Act in December 1996, there have been a total of 631 Emergency Protection Orders granted.

Highlights and Initiatives

- An amendment to the PEI *Summary Proceedings Act Regulations* came into effect October 1, 2012 to increase the victim surcharge collected on provincial offences from $20 to $25. Victim surcharge is a payment introduced in both federal and provincial legislation so that people found guilty of an offence contribute to the assistance of victims of crime.

- In partnership with the PEI Child Sexual Abuse Advisory Committee, Victim Services assisted in the coordination and development of the updated PEI Child Sexual Abuse Protocol. Six government departments, all Island police services and both First Nations signed on to the protocol to support an integrated, collaborative response to child sexual abuse.

- Additional funds were allocated to the Criminal Injuries Compensation Program in 2012-2013 to reduce the backlog of claims awaiting adjudication.

- Victim Services partnered with the PEI Reproductive Care Program and the PEI School of Nursing through a student placement, to assist with implementation of the Period of PURPLE Crying Program. The program teaches families and caregivers about the normal patterns of infant crying. The teaching has proven to help prevent infant abuse and injuries due to shaking that is precipitated by infant crying.

- Assistance was provided in the development of a *Strategy to Reduce Impaired Driving in Prince Edward Island*, an initiative led by the Policy, Policing and Crime Prevention Division of the Department of Environment, Labour and Justice.

Priorities for 2013/2014

In collaboration with government and community partners, the objectives for the 2013/2014 fiscal year include advancing initiatives in the following areas:

- participate in efforts to create a comprehensive response to address the needs of victims of domestic violence and sexual abuse;
- strengthen linkages with minority and multicultural groups;
- assist in the implementation of the PEI Child Sexual Abuse Protocol;
- enhance knowledge and skill level of Victim Services Workers through delivery of specialized staff training initiatives.

Community Services

The Community Services Section is responsible for the planning, administration and delivery of the following community-based correctional programs and services:

- Adult Probation Services; and,
- Youth Justice Services:
  - The Alternative Residential Placement;
  - Community Youth Worker Program;
  - Youth Probation Services; and,
  - Youth Intervention Outreach Program.

As well, the section supports inter-agency initiatives and partnerships with a particular focus on early intervention, restorative justice, crime prevention and community development. Community Services personnel support/assist in public education efforts on criminal justice and community corrections.

Probation Services

Probation Services delivers the following province-wide community-based correctional programs and services to clients and the adult criminal court:

- supervision and enforcement of adult probation orders and conditional sentence orders;
- case management based on a client's assessed needs and specific requirements of the case (e.g., court orders). This may include referral to a variety of community-based services, including individual or group treatment/education programs, for example, alcohol and/or drug treatment programs; education programs; mental health services; anger management programs; life skills and employment preparation programs; parenting programs; the Turning Point Program; the Sexual Deviancy Assessment and Treatment Program, and a variety of other programs or services which address presenting problems, and support the needs of a particular client and the conditions/requirements of his/her sentence or disposition.
- investigation and preparation of pre-sentence reports as requested by the courts;
- the development and management of alternative measures agreements for adult cases referred through Crown Counsel;
- processing and management of adult cases under the provincial Fine Option Program; and
- ensuring appropriate action and follow-up in cases of default or non-compliance with court orders and/or alternative measures agreements.

Statistical Summary
Community Services

PROBATION SERVICES CASELOADS/WORKLOADS - ADULT OFFENDERS FISCAL YEAR APRIL 1, 2012 - MARCH 31, 2013					
	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Total
Cases Under Supervision (Note: end of Quarter) (Include AM, FO, Cond/Sent and Probation)	952	942	938	938	
New Cases Opened (Include AM, FO, Cond/Sent and Probation)	228	249	290	302	1069
Court Reports	68	45	60	59	232
New Charges (Breaches)	30	56	54	29	169
Probation Admissions under a Probation Order	163	202	228	241	834
Alternative Measures Admissions	28	30	37	32	127
Conditional Sentence Order Admissions	9	4	5	4	22
Fine Options Admissions	28	13	20	25	86

As noted, there has been a noticeable increase in the number of new cases opened in the fiscal year 2012-2013 compared to the previous year, 2011-2012. The noted increase is primarily attributed to new probation orders (834) .

There was a significant reduction/decrease in the number of Conditional Sentence Orders under supervision. There has been a steady decrease in CSO'S over the past several years, primarily due to the decrease in eligible offences in the Criminal Code .

There was a reduction in the number of Alternative Measures referrals in the 2012-2013 fiscal year. However, it should be noted, there appears to be an increase in the number of domestic assault cases being referred for Alternative Measures and an expectation that the term of the Agreement be lengthier than the average term, to encompass the assessment and counselling components of the Agreement related to domestic violence.

Youth Justice Services

The goal of Youth Justice Services is to provide a meaningful multi-disciplinary approach to intervention with youth and families with the intent of reducing the incidence of youth crime and the entry of young people into the formal justice system. Youth Justice Services delivers the following province-wide community-based correctional programs and services for young people and the youth criminal justice courts:

Youth Probation

- supervision and enforcement of youth probation orders;
- case management based on a client's assessed needs and specific requirements of the case (e.g., court orders). This may include referral to a variety of community-based services, including individual or group treatment/education programs, for example, alcohol and/or drug treatment programs, education programs, mental health services, anger management programs, life skills and employment preparation programs; parenting programs, the Turning Point Program, the Sexual Deviancy Assessment and Treatment Program; and, variety of other programs or services which address presenting problems; support the needs of a particular client and the conditions/requirements of his/her sentence or disposition.
- investigation and preparation of pre-sentence and progress reports as requested by the court;
- the development and management of alternative measures agreements for youth cases referred through Crown Counsel;
- supervision and management of deferred custody and supervision orders, and the community portion of custody and community supervision orders;
- processing and management of youth cases under the provincial Fine Option Program; and
- ensuring appropriate action and follow-up in cases of default or non-compliance with court orders and/or alternative measures agreements.

Alternative Residential Placements

- this component consists of financial resources to contract with private homes across the province. After screening and departmental approval, the placements can be contracted to provide residential resources for high risk/high need youth in need of safe, structured residential care outside of, or as a complement to, their natural homes;

Community Youth Worker

- one-to-one casework, counselling and support services,
- community supervision and support for high risk youth and their families;
- support to alternative residential placements and youth within these homes through regular contact, consultation, case management and liaison with other agencies and community organizations;
- facilitate preventative programs for youth and their families within the community.
- actively involved in sustainable community development initiatives designed to support youth at risk in their own communities

Youth Intervention Outreach Program:

- provide a community-based intervention service working directly with police agencies to assist with youth and family problems where the police have identified youth behavior that places them at risk for actual or potential conflict with the law.

PROBATION SERVICES CASELOADS/WORKLOADS - YOUTH OFFENDERS FISCAL YEAR APRIL 1, 2012 - MARCH 31, 2013					
	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Total
Cases Under Supervision (Note: end of Quarter) (Include AM, FO, Cond/Sent and Probation)	161	161	161	165	
New Cases Opened (Include AM, FO, Cond/Sent and Probation)	45	42	46	48	181
Court Reports - written	4	7	12	9	32
Court Reports - oral	16	13	7	6	42
New Charges (Breaches)	14	9	12	14	49
Probation Admissions under a Probation Order	25	20	17	23	85
Alternative Measures Admissions	4	12	11	14	41
Fine Options Admissions	2	7	1	2	12
Youth Intervention Outreach Program Referrals	37	17	31	31	116

There was a slight increase in the number of new cases opened in 2012-2013, compared to the previous year, with the exception of the Youth Intervention Outreach referrals, which showed a decrease.

Highlights and Initiatives

- Justice Canada funded ongoing efforts to train Youth Justice Workers, Probation Officers, Assistant Probation Officers, and Community Youth Workers to fully implement and utilize the STICS (Strategic Training Initiative in Community Supervision) model as an integral part of community supervision.

- Innovative initiatives, at the Youth Justice Services level, were sustained and others developed including:

    - The Grandparents Group - an ongoing support group for grandparents who are significant or the primary caregivers in the lives of their grandchildren.

    - Graffiti Wipe-Out Program - a program designed to eliminate graffiti in Summerside by engaging 'graffiti involved' youth to paint effected areas in partnership with the Outreach Worker and police.

- The Horse Program - a therapeutic horse program for high risk youth. It is facilitated by an Outreach Worker in conjunction with Charlottetown Police Services with contributions by the PEI Vet College.

- Girls Circle and Boys Council groups are gender specific and crime prevention. programs facilitated within schools with high risk youth and seek to promote empowerment, skill building, and positive choices.

Community Priorities for 2013-2014

- Implement a model of practice which ensures sustainability, consistency, and professional growth in the utilization of the STICS model.

- Initiate planning to enhance knowledge, awareness and sensitivity, by staff, regarding tbe complex needs of youth with mental health challenges by hosting an Atlantic Conference to address this issue. The conference would also promote partnerships and networking opportunities.

- Research the availability of evidence based resources/tools for staff to use to address co-occurring mental health and addiction issues in youth.

- To provide updated training to all Probation Officers in the latest standardized risk assessment tool (LS/CMI).

- To commence a Pilot Project with Charlottetown Provincial Court (Judge Orr) to expedite the signing and distribution of Court Orders (Probation Orders and Conditional Sentence Orders.)

- To enhance working relationships with Community Partners via ongoing consultation, communication and supportive measures.

- To develop and enhance the working relationships with Community Policing Services via the establishment of a working committee, for the purpose of case planning, information sharing and intelligence gathering.

- To address, along with other stakeholders, the highlighted concerns of prescription drug addiction and the societal impact thereof by participating in a working group aimed at addressing the concern/issue.

- To be a participant in a working group committee focusing on developing strategies to address the issue of Impaired Driving on Prince Edward Island.

- Implement recommendations from the Methodology Project for program evaluation.

Correctional Services Section

Correctional Services is comprised of three institutions: two adult facilities (Provincial Correctional Center and Prince Correctional Center) and a dual designated youth facility at PEI Youth Center. The primary functions are: sentence administration, remand, lock-up, court support, and open and secure custody. Internal programs include: academic, workshop, addictions, life skills, employment preparation, anger management, community service, family awareness programs, and recreation. All facilities are available to the community for meetings, recreation, training, and educational tours.

Statistical Summary
Youth Custody Services

PEI YOUTH CENTRE RESIDENT DAYS APRIL 1, 2012 - MARCH 31, 2013					
	TYPE OF RESIDENCY				
MONTH	LOCK-UP DAYS	REMAND DAYS	OPEN CUSTODY DAYS	SECURE CUSTODY DAYS	MONTHLY TOTAL RESIDENT DAYS
April, 2012	5	12	258	72	347
May, 2012	1	1	239	36	277
June, 2011	6	27	193	0	226
July, 2012	7	71	213	0	291
August, 2012	10	80	173	11	274
September, 2012	1	27	152	63	243
October, 2012	2	56	194	93	345
November, 2012	2	52	247	113	414
December, 2012	0	1	292	186	479
January, 2013	3	7	278	165	453
February, 2013	3	2	232	164	401
March 2013	1	19	310	128	458
TOTAL FY 12/13	41	355	2781	1031	4208
% OF RESIDENCY BASED ON FY TOTALS	0.97%	8.43%	66.09%	24.50%	100.00%
% OF RESIDENCY BASED ON TWO (2) 8-BED UNITS, FULL CAPACITY			95.24%	36.37%	72.05%
2920 per unit *2 = 5840					

PRINCE COUNTY CORRECTIONAL CENTRE

INMATE DAYS - ADULT CUSTODY

FISCAL YEAR APRIL 1, 2012 - MARCH 31, 2013

Description	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Yearly Total	Average Daily Count
Sentenced Male	479	481	305	314	1579	4.3
PCC Sentenced transfers held *	1	15	78	164	258	0.7
Remand Male	134	162	119	166	581	1.6
PCC Remand transfers held *	1	10	0	0	11	0
Intermittent Male	57	58	92	137	344	0.9
PCC Intermittent transfers held *	0	0	0	0	0	0
Exchange of Service Agreement (ESA) Male	0	0	0	0	0	0
Lockup Male	122	137	109	72	440	1.2
Lockup Female	4	12	6	6	28	0.1
Annual Totals	798	875	709	859	3241	8.9

* *These numbers relate to the inmates transferred from Provincial Correctional Centre to be housed at the Prince County Correctional Centre . These inmates have been issued an Inmate Number at PCC.*

Statistical Summary
Adult Custody Services

PROVINCIAL CORRECTIONAL CENTRE

INMATE DAYS - ADULT CUSTODY
FISCAL YEAR APRIL 1, 2012 - MARCH 31, 2013

Description	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Yearly Total	Average Daily Count
Sentenced Male	3842	3703	3670	3535	14750	40.4
Sentenced Female	492	515	366	282	1655	4.5
PRCC Sentenced transfers held *	1373	858	1224	983	4438	12.1
Intermittent Male	601	719	607	568	2495	6.8
Intermittent Female	120	121	120	127	488	1.3
PRCC Intermittent transfers held *	224	172	278	168	842	2.3
Exchange of Service Agreement (ESA) Male	115	0	0	59	174	0.5
Exchange of Service Agreement (ESA) Female	0	0	0	0	0	0
Remand Male	630	1319	1411	1162	4522	12.4
Remand Female	330	76	48	116	570	1.6
PRCC Remand transfers held *	147	186	27	56	416	1.1
Lockup Male	199	324	197	173	893	2.4
Lockup Female	43	34	35	39	151	0.4
Young Offenders Male	8	18	5	8	39	0.1
Young Offenders Female	4	2	1	1	8	0
Federal Parole Violators (FPV) Male	0	26	92	48	166	0.4
Federal Parole Violators (FPV) Female	0	0	0	0	0	0
Community Based Residential Facility (CBRF) Male	0	0	64	20	84	0.2
Community Based Residential Facility (CBRF) Female	0	0	0	0	0	0
Annual Totals	8128	8073	8145	7345	31691	86.8

* *These numbers relate to the inmates transferred from Prince County Correctional Centre to be housed at the Provincial Correctional Centre. These inmates have been issued an Inmate Number at PRCC.*

Highlights and Initiatives

- A Mentoring Program was established at the Provincial Correctional Centre (PCC)
- The *Correctional Services Act* was revised.
- An Integrated Correctional Program Model (ICPM) was established and implemented with staff trained in enhancing our programs and better integrateing our case management process with Correctional Service Canada (CSC).
- Work to increase provincial parole numbers continues.
- Renovations to the PEI Youth Centre were completed to house any overflow of adult offenders.
- Addictions programs established and running at PCC
- Web X being explored to allow clients to meet with addictions counselors via the web.
- The Request for Proposal (RFP) for the pharmacy contract being evaluated.
- Custody representation on Addictions/Mental Health Strategy.
- Ongoing recruitment to maintain casual pools.
- 200+ custody forms were revised to comply with the *Freedom of Information and Privacy Act* (FOIPP) standards, all forms now on unit computers.
- The Occupational Health and Safety Manuals were updated.
- A comprehensive orientation program for new casuals was developed.
- The John Howard Society's (JHS) work continues to benefit incarcerated offenders.
- A Women's Health Clinic was established at PCC.
- Upgrades were made to security camera systems to allow more camera access in custody sites.
- PCC painting of units began.
- Operational reviews were completed at custody sites.
- 13 inmates completed the General Educational Development Program (GED). On average, between 20-25 inmates participated, at any given time, in the GED program, upgrades or correspondence courses.
- Programs were developed to utilize Camp Tamawaby more frequently.
- New shift rotation schedule developed at Youth Center to meet the reduced staffing complement.

Custody Priorities for 2013-2014

- Need for capital investment in an appropriate unit for women offenders
- Need for capital planning for infrastructure in adult custody
- CSC training for custody staff
- 2nd unit to be renovated at PEIYC for adult offenders

- PRCC painting
- Increase provincial parole numbers
- Inmate Telephone System upgrades within custody
- Updating audit tools in custody
- S.34 Court Ordered Assessment working policy to be revised and updated
- Computer upgrades for PCC
- Kitchen renovations
- Development of new payroll processes

Medical Initiatives:

- Recruit and retain RNs for the Prince County Correctional Centre (PRCC)
- Reorganize nursing services at PRCC
- Develop monthly blood pressure clinic at PCC for staff
- Ongoing staff health education
- Develop new policies/protocols according to need
- Revise any standing orders that need to be updated

Clinical Services

Clinical Services Client Contacts

Clinical Services Team members offer individual or group treatment for adults and youth offenders, on an ongoing, as-needed basis, based on referrals from both Community & Custody Services. These can be brief interventions of only a few sessions, or ongoing treatment or mental health counseling over the entire course of the individual client's disposition. The target population of the team's services are high risk adults and youth in the justice system.

Clinical Services' main focus is to intervene with clients whose behaviours may create risk towards family, community members or themselves. By addressing the risk/needs of the client, Clinical Services will decrease risk of recidivism, increase the adaptive capacities of the clients in community and custody, and increase safety for the community.

Clinical Services offers specialized programming and treatment in the areas of mental health, anger management, domestic violence, parenting, Aboriginal services, relationships, sexual deviancy and motivational and supportive counseling.

Team members also respond to staff members with individual consultive needs, whether with or without client contact. Many of these client contacts extend beyond a particular segment of the disposition; that is, an individual who was first seen in custody may continue to be seen in the community upon release, and may continue to be seen if the client returns to custody. The fact that the same team member can continue to see a particular client in these different settings provides a continuity of care that is important in maintaining a consistent therapeutic context.

Highlights and Initiatives

- Improvements in statistical data collection
- Annual Divisional Open House in which 33 Turning Point Facilitators were recognized for their service over the past 15 years
- Certified LSI/CMI and YLS/CMI 2.0 risk/need assessment trainer
- Clinical Services trained in STICS
- New Sexual Deviancy Clinician hired to replace retired Specialist

Statistical Overview

Clinical Services Client Contacts April 1, 2012 - March 31, 2013 ADULT			
Programs	**Males**	**Females**	**Total**
Anger Management Program (4 programs)	32	0	32
Turning Point Program (4 programs: 2-Ch'town, 1-Montague, 1-S'side)	44	0	44
Sexual Deviance Treatment (1 program)	7	0	7
Sex Offender Support Maintenance Group (follow-up to treatment)	0	0	0
Other Programs (2 Programs)	13	0	13
Total Number of Program Participants	96	0	96

Assessments (ADULT)	Males	Females	Total
Anger Management	53	15	68
Sexual Deviance	19	0	19
Turning Point	55	0	55
Turning Point Victim Contacts/Consults	0	55	55
Total Assessments	127	70	197

Individual Counseling (ADULT)	Males	Females	Total
One-to-One Counseling/Intervention (all programs)	316 Sessions	260 Sessions	576 Sessions
Sexual Deviancy	112 Sessions	0 Sessions	112 Sessions
Anger Management	428 Sessions	177 Sessions	605 Sessions
Total Counseling	**856 Sessions**	**437 Sessions**	**1,293 Sessions**

Clinical Services Client Contacts April 1, 2012 - March 31, 2013 YOUTH			
Assessments	**Males**	**Females**	**Total**
Anger Management Assessments	0	0	0
Sexual Deviance Assessments Adolescent	16	0	16
Other Program Assessments	0	0	0
Total Assessments	**16**	**0**	**16**

Counseling	Males	Females	Total
One to One Counseling	334 Sessions	27 Sessions	452 Sessions
Sexual Deviancy	64 Sessions	0 Sessions	64 Sessions
Anger Management	86 Sessions	4 Sessions	90 Sessions
Family Counseling	100 Sessions	34 Sessions	134 Sessions
Total Counseling	**584 Sessions**	**65 Sessions**	**740 Sessions**

Priorities for 2013 - 2014

- Training adult staff in the use of the LS/CMI risk/need assessment tool
- Training youth staff in the use of the YLS/CMI 2.0 risk/need assessment tool
- Online scoring of both youth and adult assessment tools
- Continue to strengthen relationships with Health PEI, Addictions, Mental Health, CFS along with other community groups and agencies
- Focus on maintaining specialized training and skills development for Clinical staff
- Research other evidence- based assessment tools to aid in the treatment/programming of domestic violence, anger management and other mental health issues

Consumer, Labour and Financial Services Division

Director: Katharine Tummon
General Counsel: Steven Dowling

The Consumer, Labour and Financial Services Division registers and incorporates provincial business enterprises, co-operatives and nonprofit organizations, and also registers all out-of-province companies carrying on business in the province. Selected business enterprises such as insurance companies, securities dealers, real estate firms, credit unions and other financial institutions in the province are regulated by the Division.

The division administers the Orderly Payment of Debts Program. All charitable bingos, raffles and similar lotteries are licensed under the Lottery Schemes Order. Consumers are provided with information and assistance in dealing with problems encountered in the marketplace.

Corporate Section

Acts Administered

The Corporate Section of the division is responsible for the administration of the following Acts:

Companies Act	*Franchises Act*
Condominium Act	*Limited Partnerships Act*
Co-operative Associations Act	*Partnership Act*
Credit Unions Act	*Securities Act*
Extra-provincial Corporations Registration Act	*Trust and Fiduciary Companies Act*
Foreign Resident Corporations Act	*Winding Up Act*

Statistics

Following are statistics related to the various statutes administered by the Corporate Section:

Companies Act	2012-2013	2011-2012	2010-2011
Incorporations during the year:			
Business corporations	408	348	298
Nonprofit corporations	37	50	102
Certificates of Good Standing issued	273	283	278
Annual returns filed under Section 80 of the *Companies Act*	5910	5581	5537
Number of companies dissolved	396	0	185
Number of companies revived	13	15	21

Co-operative Associations Act
There are approximately 110 active co-operatives in the province. During 2012-2013, there were three new co-operatives incorporated.

Credit Unions Act
The *Credit Unions Act* is administered by the Credit Union Central of Prince Edward Island, which also carried out inspections of credit unions. A separate report on credit unions, as compiled by the Credit Union Central, is also presented in the legislature.

Since 1992, there has been an insurance plan in place for credit unions, operated by the Credit Union Deposit Insurance Corporation (CUDIC). The insurance coverage, which was initially set at a maximum of $60,000, is similar to that provided for deposits in banks and trust companies by the Canada Deposit Insurance Corporation.

On December 24, 1997, amendments to the *Credit Unions Act* were passed which increased the deposit insurance coverage to 100 per cent of credit union members' deposits held in registered retirement savings plans and registered retirement income funds. On October 7, 2008 amendments to the Act increased the basic coverage to $125,000.

In December, 2009, the inspection powers were transferred from Credit Union Central to CUDIC. The Credit Union Central staff and CUDIC communicate regularly with the department to keep it informed about the credit union movement. The Director of Consumer, Labour and Financial Services serves as the Registrar of Credit Unions. Corporate Counsel of the Division serves on the CUDIC board.

Extra-provincial Corporations Registration Act
All out-of-province businesses carrying on business in this province are required to register under the *Extra-provincial Corporations Registration Act* regardless of whether they have an office or employees in the province. Such business organizations include banks, trust companies, loan companies, finance companies, chain stores, oil and gas companies, construction companies, manufacturers and generally all companies not incorporated under the laws of this province and having their head office or chief place of business located outside the province.

Extra-provincial Corporations Registration Act	2012-2013	2011-2012	2010-2011
Companies registered	3420	3005	3330
Certificates of Good Standing issued	243	174	201

Franchises Act
The *Franchises Act* is the responsibility of the Corporate Section. The sections of the Act providing for a duty of fair dealing and rights of association came into force on July 1, 2006. The disclosure requirements of the Act and its regulations were brought into force on January 1, 2007.

Partnership Act
The business names of sole proprietorships and partnerships are registered under the *Partnership Act* as well as trade names of corporations.

Partnership Act	2012-2013	2011-2012	2010-2011
Declarations filed	991	913	1051
Dissolutions filed	937	302	291

Declarations filed under the *Partnership Act* expire three years after the date of filing unless renewed.

Securities Act

The *Securities Act* regulates the sale of securities to the public and provides for the licensing of dealers, advisers and salespeople. The purpose of securities legislation is to provide investor protection and to foster efficient capital markets.

Canadian Securities Administrators (CSA)

The Canadian Securities Administrators (CSA) is comprised of the 13 provincial and territorial securities regulatory authorities in Canada. Over several years, the CSA has established and continues to develop and administer the Canadian Securities Regulatory System. The CSA functions through meetings of Commission Chairs and Superintendents held at regular intervals, meetings and ad hoc interactions between executive directors, and through working committees.

In 2004, all CSA jurisdictions with the exception of Ontario entered into an agreement to implement a "passport system" of regulation for securities market participants across the country. On March 17, 2008, Prince Edward Island brought into force a new *Securities Act* which has permitted the province to adopt the passport system for the regulation of public companies. On September 28, 2009, sections of the new Act were proclaimed in force and permit the province to adopt the second stage of passport involving the registration of dealers, advisers and their representatives.

Securities Act registrations and filings:	2012-2013	2011-2012	2010-2011
Licenses issued:			
Salespersons and individual advisers	4567	4423	3970
Brokers and firm advisers licensed	258	235	263
Prospectuses registered	3888	3730	3537
Prospectuses amendments registered	1063	1253	1065
Certificates of Exemption	72	65	56
Annual Information Forms registered	1150	1165	1176

Revenue

Revenue Source:	2012-2013	2011-2012	2010-2011
Companies Act	$462,445	$415,972	$400,564
Extra-provincial Corporations Registration Act	956854	971679	910366
Securities Act	4448906	5442150	5110000
Other statutes	181351	144323	137082
Total revenue collected by Corporate Section	$6,049,556	$6,974124	6558012

Comments

Corporate section staff spend a significant amount of time responding to inquiries from the public as much of the information filed in the section is public information. Requests for information about corporations, co-operatives, partnerships or other matters come from the legal and accounting professions, other government departments, police authorities, business people, financial institutions and the public at large.

Corporate Section Personnel

Securities

Securities Secretary	Marlene Hughes
Securities Clerk	Janice Callbeck

Corporations

Corporations Officer	Joan MacKay
Corporations Clerk	Lori Stewart
Corporations Clerk	Della Godfrey
Corporations Clerk	Lynda Callbeck
Corporations Clerk	Janet O'Brien

Insurance and Real Estate Section

Insurance Act	2012-2013	2011-2012	2010-2011	2009-2010
Insurance companies licensed	204	204	212	210
Applicants examined	56	45	45	40
Number of insurance agents licensed	2535	1967	2903	1294
Number of insurance adjusters licensed	437	332	438	216

Comments

The Superintendent of Insurance also acts as the Registrar under the *Real Estate Trading Act*. The Superintendent primarily administers the *Insurance Act*. Duties of the office centre around the licensing and regulation of all insurers, agents and adjusters active in the province. The office receives consumer inquiries and complaints and responds to each with information and/or intervention as required.

The Superintendent participates in regional and national efforts to ensure the local insurance industry environment remains current and best serves the needs of all stakeholders. The ultimate goal remains to ensure the products demanded by the public are available at the lowest possible cost.

Revenue

Revenue collected under the various statutes is as follows:

Revenue Source	2012-2013	2011-2012	2010-2011
Premium tax	$10,571,000	$10,103,000	$9,744,601
Fire prevention tax	567000	495000	448462
Third-party auto levy	2475000	2078000	1843714
License fees and other	630000	672000	531550
Total Insurance and Real Estate Section revenue	$13,348,000	$12,568,327	$12,601,000

Comments

Premium tax at the rate of 3.5 per cent is collected on all insurance premiums (except fraternal) written in the province. The Fire Prevention Tax, which is assessed at one per cent of the total fire premium, is basically designed to defray expenses of the Provincial Fire Marshal's office. The Third Party Auto Levy is assessed on each insurer underwriting auto insurance. The purpose of the Third Party Auto Levy is to offset provincial health care costs associated with innocent victims of automobile accidents. The levy allows the province to recover its costs in an efficient manner and is assessed on a per earned vehicle basis.

Real Estate

The Registrar administers the *Real Estate Trading Act*. Duties of the office include the licensing and regulation of all agents and salespersons active in the province. The office receives consumer inquiries and complaints and responds to each with information and/or intervention as required.

***Real Estate Trading Act* Statistics**	2012-2013	2011-2012	2010-2011
Agents licensed	34	30	47
Salespersons licensed	213	182	257

Insurance and Real Estate Section Personnel

Superintendent of Insurance — Robert Bradley
Compliance Officer — Phillip McInnis

Consumer Services Section

The Consumer Services Section is responsible for the administration of the following programs:

Program	Statutory Reference
Debtor Assistance	Orderly Payment of Debts, Part X of the *Bankruptcy & Insolvency Act*
Consumer Education and Information, Complaints and Inquiries	Various Provincial Statutes
Regulation of Charitable Gaming	Lottery Schemes Order, sections 206 and 207 *Criminal Code*
Licensing of various industries	Various Provincial Statutes

Debtor Assistance Program – Orderly Payment of Debts (OPD)
Part X, Bankruptcy and Insolvency Act

Through this program, an alternative to consumer bankruptcy, a person pays off his or her debts by making a series of monthly payments to the Clerk of the Court. Through OPD, debtors are given the opportunity to retire their debts over an extended period of time, consistent with their ability, while maintaining a reasonable standard of living. The relevant statistics are as follows:

	2012-2013	2011-2012	2010-2011
Funds disbursed to creditor	$34,066	$97,390	$114,765

In 2005-2006 the department began phasing out the OPD program and stopped taking on new clients. Three files were closed in 2012-13, nine files were closed in 2011-12, three files were closed in 2010-11, fifteen clients retired their debts in 2009-10, fifteen clients retired their debts in 2008-09, thirteen clients retired their debts in 2007-08, fifteen clients retired their debts in 2006-2007 and fourteen clients retired their debts in 2005-2006. The department continues to service all existing clients who are paying off their debts in an orderly fashion.

Consumer Protection

This section provides information and assistance to consumers who are considering purchasing goods and services. Our staff also responds to consumer complaints and advises consumers of their rights under provincial consumer protection legislation. We assist with informal mediation between consumers and retailers and take corrective measures under provincial legislation where warranted. The section issues consumer alerts and participates in consumer protection seminars and workshops for seniors, youth and other groups.

Regulation of Charitable Gaming

The Lottery Schemes Order made under the federal *Criminal Code* empowers the province to license and set terms and conditions for charitable gaming. These include bingos, raffles, lotteries, casino nights, 50/50 draws and sports pools. Licensing and financial statistics follow:

Licensing Statistics	2012-2013	2011-2012	2010-2011
Lottery scheme licenses issued	1119	1077	1135
Bingos licensed	22	27	27

Bingo Revenue and Expenses	2012-2013	2011-2012	2010-2011
Total receipts	$8,586,232	$9,412,804	$9,634,233
Prizes paid out	6522740	7094535	7380125
Wages to employees	719626	727028	748013
Supplies (bingo paper)	361844	337703	318458
License fees	132607	141783	147639
Advertising	111370	121770	124030
Rent	119526	125549	169119
Other expenses - utilities, management fees	175130	215854	257999
Total Expenses	8142843	8764222	9145383
Total receipts minus total expenses	443389	648582	488850

Licensing and Registration of Various Industries

In addition to those statutes mentioned earlier, this section also administers the following statutes which require a license or registration:

Auctioneers Act
Cemeteries Act
Charities Act
Collection Agencies Act
Consumer Reporting Act
Direct Sellers Act

As well, the section is responsible for the administration of four other statutes which, while no license or registration is required, do prescribe rules of conduct. They are:

Business Practices Act
Consumer Protection Act
Films Act
Pre-arranged Funeral Services Act

Licensing Statistics:	2012-2013	2011-2012	2010-2011
Auctioneers (two-year license term)	13	5	19
Collection agencies (two-year term)	26	26	27
Collectors	1275		
Total number of Collection Agencies	84	53	57
Consumer reporting agencies (two year term)	4	2	4
Direct sellers (two-year term) Individuals Companies	4436	3516	7539

Floral Hills Gardens Administration Act

This Act came into force on December 15, 2006. It transfers ownership of the Floral Hills Memorial Gardens cemetery to the Province. The FHMG Cemetery Co-operative Limited has been operating the cemetery on behalf of the Province.

Revenue

The Consumer Services Section collects fees under various statutes, as follows:

Revenue Source:	2012-2013	2011-2012	2010-2011
Lottery Schemes Order	210557	224915	204436
Other statutes	30674	30115	58315
Total section revenue	$241,231	$255,030	$262,751

Consumer Services Section Personnel

Compliance Officer — Linda Peters
Secretary — Janet O'Brien

Crown Attorneys' Division

Mandate

The Crown Attorneys' Office is mandated to represent the Attorney General of the province in all aspects of his prosecutorial function. The Crown Attorneys' Office prosecutes offences under the *Criminal Code of Canada*, the *Youth Criminal Justice Act* and provincial statutes in the Provincial, Supreme and Appeal Courts of Prince Edward Island and in the Supreme Court of Canada. The Crown Attorneys' Office also provides legal advice on criminal law to government ministries and the police, and develops policies and procedures on issues relating to the prosecution of criminal cases.

Mission statement
The mission of the Crown Attorneys' Division is to ensure fair and equal treatment in prosecuting offences.

Vision Statement
In attempting to achieve its mission, the Crown Attorneys' Office contributes to the government's priority of fulfilling its social responsibility for providing for public safety.

In order to accomplish its mission, the Crown Attorneys' Office has set the following goals:

(a) providing a prosecutorial service that reflects professional competency, dedication to public service and high ethical standards;

(b) providing a prosecutorial service that identifies and allocates the resources required to carry out its mission;

(c) providing within the prosecutorial service an environment that allows for the independent exercise of prosecutorial discretion; and

(d) providing a prosecutorial service that is reflective of the community it serves.

Main Activities

(a) Provide advice to the police, upon their request;

(b) Provide advice to provincial government departments, upon their request, concerning enforcement and prosecutions under provincial legislation;

(c) Represent the Crown at judicial interim release (bail) hearings and preliminary inquiries in indictable criminal matters;

(d) Prosecute *Criminal Code*, *Youth Criminal Justice Act*, and provincial statute offences;

(e) Represent the Attorney General in criminal appeals before the Supreme Court of Prince Edward Island;

(f) Represent the Attorney General in criminal appeals before the Supreme Court of Canada;

(g) Arrange and deal with criminal charges transferred to and from this province;

(h) Act for the Crown pursuant to the provisions of the *Coroner's Act*;

(i) Defend against constitutional challenges to provisions of the *Criminal Code of Canada*, the *Youth Criminal Justice Act* and provincial statute offences;

(j) Participate in the Alternative Measures Program for young offenders and adult offenders;

(k) Represent the Attorney General at the Criminal Code Review Board;

(l) Conduct criminal law refresher programs with the various police agencies in the province; and

(m) Participate on a number of federal/provincial/territorial committees and consult with task forces in relation to various criminal law initiatives, which include:

(i) DNA Data Bank;

(ii) *Firearms Act*;

(iii) *Corrections and Conditional Release Act* review;

(iv) Youth Criminal Justice Act;

(v) Cross-Border Crime;

(vi) National High Risk Offender flagging system;

(vii) FPT Sentencing Working Group;

(viii) Victims Services Advisory Committee;

(ix) Strategy for the Renewal of Youth Justice;

(x) Repeat Impaired Driving Project;

(xi) Aboriginal Community Justice Working Group;

(xii) Interagency Committee on Family Violence;

(xiii) Unified Law Conference (Criminal Law Section);

(xiv) Organized Crime; and

(xv) Anti-Terrorism.

Administration
The administrative office is located in Charlottetown. The Charlottetown office handles court matters in the Supreme Court in Charlottetown and the Provincial Courts located in Charlottetown and Georgetown. The Charlottetown office deals with other matters relating to the administration of prosecutions in the province. The Summerside branch office is responsible for Prince County Supreme and Provincial court matters located in Summerside.

Organization
As of March 31, the staffing of the Division is as follows:

Director - Cyndria L. Wedge, Charlottetown office

Senior Crown Attorney - David P. O'Brien, Q.C., Summerside office
Senior Crown Attorney - Gerald Quinn, Q.C., Charlottetown office
Crown Attorney - Valerie A. Moore, Q.C,, Charlottetown office
Crown Attorney - John A. McMillan, Q.C., Charlottetown office
Crown Attorney - Lisa Goulden, Charlottetown office
Crown Attorney - John R. Diamond, Q.C., Summerside office
Crown Attorney - Jeffery MacDonald, Charlottetown office
Adm. Assistant - Wendy R. McKeeman, Charlottetown office
Adm. Support Worker - Michele Montgomery, Summerside office
Adm. Support Worker - Lisa Munn, Charlottetown office
Adm. Support Worker - Nancy Douglas, Charlottetown office

Caseload

Overview

A combined total of 5,421 adult and young offender *Criminal Code* charges were laid in the fiscal year 2012-2013. The four prior fiscal years are included for comparison purposes.

Fiscal Year	Adult	Young Offenders	Total
2008-2009	4,063	525	4,588
2009-2010	4,748	445	5,193
2010-2011	4,827	518	5,345
2011-2012	4,530	570	5,100
2012-2013	4,877	544	5,421

Provincial statutory offences are not included in the above-noted totals. In the fiscal year 2012 - 2013 the Crown Attorneys' Division dealt with 284 contested provincial matters. The preceding three fiscal years are as follows:

Fiscal Year	Total
2009-2010	197
2010-2011	272
2011-2012	251
2012-2013	284

Alternative Measures

For the fiscal year 2012 - 2013 a total of 118 adults had criminal matters dealt with by way of alternative measures, pursuant to s. 717(1)(a) of the *Criminal Code*. During the same period, 46 youth criminal matters went by way of the alternative measures program. The preceding three fiscal years are included for comparison purposes.

Fiscal Year	Adult	Young Offenders	Total
2009-2010	127	78	205
2010-2011	114	43	157
2011-2012	155	51	201
2012-2013	118	46	164

Appeals

During the fiscal year 2012 - 2013 there were a total of 18 appeals involving the Crown Attorneys' office. The total consisted of 0 Crown appeals, 3 Defence appeals, 0 Prisoner appeals and 15 Administrative appeals. The preceding three fiscal years are included for comparison purposes.

Fiscal Year	Crown	Defence	Prisoner	Administrative	Total
2009-2010	0	11	0	18	29
2010-2011	3	9	1	23	36
2011-2012	4	10	2	15	30
2012-2013	0	3	0	15	18

Finance and Corporate Management Division

Director: Mary Kinsman

Mandate:

The mandate of the Finance and Corporate Management Division is to support the effective management of the department through the delivery of key corporate services including financial, human resource and administrative services. The division has the overall responsibility for preparing and monitoring the department budget and providing financial analysis and advice to department management. Human resource management support for the department is provided by the division in areas such as recruitment and selection, position management, orientation, training, and planning. The division processes financial and payroll transactions; and is responsible for various administrative services.

In addition, the division is responsible to provide support for federal-provincial policing agreements, including the Provincial Police Services Agreement, the First Nations Community Policing Services Agreement, and the Confederation Bridge Policing Services Agreement.

Legal Aid Division

Criminal and civil legal aid services are provided under the Prince Edward Island Legal Aid. Program. The program is administered under the general powers of the Department of Environment, Labour, and Justice. The scope of services covered by the program, and the terms and conditions of eligibility, are determined by government policy. Prince Edward Island does not have specific legal aid legislation.

The criminal legal aid services provided by the program are cost-shared by Canada under a federal-provincial agreement implemented in 1973 and renewed from time to time since then. The federal contribution agreement applies in all provinces and territories. It is intended to promote uniform access to a minimum level of service throughout Canada and as a result, criminal legal aid coverage in each province and territory is determined to some extent by the details of the agreement.

There is no similar federal-provincial arrangement for funding civil legal aid. The constitutional responsibilities of the two levels of government for civil legal aid are somewhat different from their responsibilities in the area of criminal law. The provinces and territories have been requesting greater federal support for civil legal aid. The federal government regards civil legal aid as a social program for which block funding is transferred to the provinces under the Canada Social Transfer.

Civil legal aid coverage varies considerably from one province and territory to another. It consists primarily of family law, child protection, adult protection, and mental health matters.

Delivery Model

Legal aid services in Prince Edward Island are delivered primarily by salaried staff lawyers. Private sector lawyers are retained in cases where a staff lawyer is unavailable or where more than one party in the same legal dispute requires legal aid. About twenty-one percent of the province's practicing lawyers accept occasional legal aid referrals.

The legal aid program is administered by the Director of Legal Aid who reports to the Deputy Minister of Environment, Labour, and Justice. Under this structural arrangement, communications between Legal Aid and the Department of Environment, Labour, and Justice are confined to matters of policy, resources, and administration. In solicitor-client services, the confidentiality rules of the legal profession govern the relationship. This means that in the delivery of professional services to individual clients, legal aid staff have autonomy equivalent to that of professional staff in programs administered by a legal aid commission.

The program has nine full-time staff lawyer positions, including the position of the Director. Five of the staff lawyer positions are in Charlottetown and three are in Summerside. Two of the Charlottetown lawyers, and one Summerside lawyer, are assigned primarily to criminal law services.

Three staff lawyer positions in Charlottetown, and two in Summerside are assigned primarily to family law, but in recent years the volume and complexity of criminal cases in Summerside has been beyond the capacity of a single position. To cope with the demand it has been necessary to reallocate some family staff lawyer time and acquire additional services from private sector lawyers. On a time and expenditure basis more than half of all resources have gone to family and civil legal aid.

It should also be noted that in Prince Edward Island and the rest of Canada, legal aid administrators do not have total discretion in the allocation of legal aid resources between criminal and civil legal aid needs. In the criminal justice system a certain level of legal aid service must be maintained to ensure basic rights to a fair trial in accordance with the *Canadian Charter of Rights and Freedoms*.

If the requirements are not met in serious criminal cases the courts may not allow trials to proceed.

The *Charter* does not require government to ensure the same availability of legal aid in family law where legal needs relate to private disputes between individuals and no state action is involved.

Criminal Legal Aid

The objective of the Criminal Legal Aid Program is to promote access to legal representation in the criminal trial process. Under the program, lawyers are made available to persons who would otherwise be unable to afford legal representation in serious criminal matters. As a minimum, legal aid will be provided in situations where a court applying the *Canadian Charter of Rights and Freedoms* would consider the assistance of counsel to be essential for a fair trial.

Eligibility:
Eligibility for legal assistance is determined by a flexible means test. The test is conducted by Legal Aid staff who assess the seriousness of the legal proceedings and determine whether the applicant's present means would be sufficient to enable him or her to obtain private counsel, within the required time frame, if legal aid was refused. A scale based on income and family size is used as a guideline.

The income scale is comparable to those of other Canadian provinces and territories but all jurisdictions acknowledge that there is an increasing gap between the scales and the income levels at which anyone could be expected to retain counsel through their own financial resources. Studies in other provinces have indicated that an increasing percentage of the Canadian population needs legal aid but income scales cannot be increased without adding resources. The challenge of meeting legal needs is extremely complex. National efforts to address the problem are increasingly focused on achieving greater efficiency within the over-all justice system rather than adding resources at levels which cannot be sustained.

Approved Applications:
The criminal and YCJ caseload is counted by the number of applications approved and by the number of cases completed. Readers using this data for inter-jurisdictional comparisons on costs and caseloads are asked to note that terms such as "case" and "application" may vary from one province or territory to another. A case may involve more than one legal problem. For instance, an applicant may have multiple charges arising from a single incident or charges from several incidents closely related in time. Cases which have not been completed are carried over from one year to the next and counted only in the year in which the file is closed. Approved applications, on the other hand, are counted in the year in which the file was opened.

Adult Criminal and Youth Applications and Caseload:

	2012-2013	2011-2012	2010-2011
Adult Criminal and Youth Applications Approved	1226	1171	11299
Refused Applications	83	104	109
Cases Completed and Closed	1185	1190	1303
Cases Completed by Private Counsel on a Legal Aid Basis*	52	51	65

*The number of criminal cases referred to private counsel does not include files handled by private sector lawyers on a per diem basis to resolve scheduling conflicts or to fill in for staff lawyers on sick leave or vacation.

Approved Applications by Region:
Adult Criminal and Youth

	2012-2013	2011-2012	2010-2011
Charlottetown Adult	577	590	632
Charlottetown Youth	99	117	126
Charlottetown Total Approved	676	707	758
Summerside Adult	473	393	475
Summerside Youth	77	71	66
Summerside Total Approved**	550	464	541
Provincial Totals Approved	1226	1171	1299

**The 14% decline in the Summerside caseload total is partially attributable to a definitional error in the preceding years which resulted in over reporting caseload totals where multiple charges were involved.

After-Hours Telephone Duty Counsel Program

On April 1, 2010, Prince Edward Island introduced an after-hours telephone duty counsel system to enable persons who are under arrest or police detention to contact legal counsel without delay.

Nationally, the program is referred to as *Brydges* Duty Counsel. It has been available in all other Canadian jurisdictions since the 1990's. The objectives of the program relate to the *Canadian Charter of Rights and Freedoms* which provides that everyone has the right on arrest or detention to retain and instruct counsel without delay. In the *Brydges* case in 1990, from which the program came to be known, the Supreme Court of Canada imposed additional duties on police to inform all persons at the time of arrest or detention, of the existence and availability of duty counsel and legal aid. Although *Brydges* was a murder case, the laws pertaining to the right to contact counsel apply to all criminal cases. In actual practice the most pressing demand for the program relates to the enforcement of impaired driving laws. The investigation of alcohol and drug related driving offences is time-sensitive and highly dependent on police compliance with the detainee's *Charter* rights to counsel. Telephone duty counsel programs thus have a dual purpose: protecting the *Charter* rights of detainees; and enabling police to proceed with their duties without having to allow detainees to wait for a lawyer to become available after the resumption of regular business hours. In most arrest and detention situations a brief telephone consultation with counsel will be sufficient to ensure both purposes are met.

The program is staffed by private sector and staff lawyers. Business-hours duty counsel calls are handled from Legal Aid staff offices. After-hours calls are dialed to a central Legal Aid office number and forwarded automatically to a cell phone carried by the duty lawyer. The phone numbers for the program are issued to all police services in the province but are otherwise unpublished. To ensure restrictions on the use of the program are observed, and to confirm contact, the arresting officer is requested to place the initial call to the duty counsel number. In addition the arresting officer is requested to provide brief details of the circumstances of the call. Financial eligibility requirements do not apply for the *Brydges* Duty Counsel program.

After-Hours Telephone Duty Counsel Program:

		2012-13	2011-12	2010-11
Duty Counsel Calls Received:	667	618	541	
Business Hours Calls	175	166	164	
After-Hours Calls		492	452	377
Type of Police Investigation:				
Impaired Driving		156	159	141
Break and Enter, Thefts, and Property Offences		145	115	114
Assaults		154	144	102
Administration of Justice (breach and failure to comply)		67	45	56
Controlled Drugs and Substances		58	64	50
All Other		87	91	73

Total Direct Expenditures for After-Hours Telephone Duty Counsel Program (excluding administrative costs): $63,061

Total Criminal Legal Aid Expenditures:

	2012-2013	2011-2012	2010-2011
Salaries and Operating Costs	683,751	701,024	724,459
	103,898	48,417	79,805
Fees to Private Counsel	63,061	70,560	**70,163**
Brydges After-Hours Telephone Duty Counsel	**$820,001**	**$874,427**	**$721,818**

Family and Civil Legal Aid

Coverage:

Prince Edward Island Legal Aid has provided civil legal aid coverage since 1980. The term "civil legal aid" is used collectively to refer to areas of legal aid coverage that do not directly involve criminal law. Civil legal aid is now available everywhere in Canada but the type and amount of assistance that may be provided, varies from one province or territory to another. The provinces and territories determine the types of legal problems that will be covered, the eligibility criteria for applicants, and the methods by which services will be delivered. Family matters account for the majority of civil cases in this province and across Canada.

Additional civil legal aid coverage areas include child protection law, and involuntary hospitalization or residential proceedings under mental health and adult protection laws. The provision of legal aid in these areas of law may be considered mandatory under the *Canadian Charter of Rights and Freedoms* where the litigation involves actions by government that seriously affect individual liberties or security of the person.

Priority for Assistance in Family Legal Aid:

The objective of family legal aid is to provide legal assistance to those who cannot afford the services of a lawyer in the most urgent family situations. Legal needs are prioritized on two levels.

Level One, the highest priority, refers to cases where domestic violence has occurred or where the personal security of the applicant or child(ren) in his or her care is endangered in a family situation.

Level Two describes the need for essential legal services in family situations where there has been no domestic violence or present threat to the security of the applicant or a child(ren) in his or her care.

In Level Two situations, applicants who require legal assistance to meet the needs of their dependant children are given priority. Legal needs in this category include: custody, access, financial support, and housing. Due to the high demand for those services, only very limited resources remain available to assist applicants with legal needs that do not relate directly to the support of dependant children.

Divorce coverage is provided only where it is determined to be the most effective court procedure for addressing one or more of the foregoing objectives.

Summary Advice:
Where an applicant does not meet eligibility requirements or where his or her legal needs do not qualify for full service, summary legal advice may be provided. Summary advice generally involves a brief telephone or office consultation with a staff lawyer. Further assistance may be provided subsequently if the applicant's legal needs change.

Delivery of Services:
Family and other civil legal aid services are delivered by staff and private sector lawyers. Five staff lawyers provide family and civil legal services. Three positions in Charlottetown and two in Summerside, are assigned primarily to civil and family legal aid services. Additional services are provided by private sector lawyers on a referral basis at legal aid rates. Fees paid to private sector lawyers in 2012-13 accounted for approximately eight percent of family and civil legal aid expenditures.

The Law Foundation of Prince Edward Island:
The Law Foundation of Prince Edward Island has been providing financial assistance for family legal aid since 1996. The Foundation is a non-profit organization created by the *Legal Profession Act* to receive and distribute interest paid by financial institutions on certain types of general trust accounts held by law firms. The goal of the Foundation is to channel as much as 25 percent of its annual interest revenue toward the promotion of legal aid in the province. In 2008, the Foundation entered a seven year financial contribution agreement with the province which led to the addition of a family legal aid staff lawyer position in the Summerside office.

The Charter of Rights and Family Law:
The *Canadian Charter of Rights and Freedoms* does not contain any specific reference to legal aid. However, the interpretation of the *Charter* by the courts does play a significant role in determining the minimum levels of legal aid coverage that must be provided by government. This is especially so in criminal cases where the courts may be required to make preliminary assessments about whether a trial can proceed if the accused is unrepresented. In the area of family law, *Charter* decisions have not had the same impact because the litigation is between

private individuals and does not involve government action. Entitlement to legal aid is given greater recognition however, in child protection matters, where in all instances the state is the party taking the legal action which may have a direct and immediate impact on parental rights. The Supreme Court of Canada ruled in a 1999 case, that parents who are unable to afford legal counsel to respond to child protection litigation, may be entitled to have counsel provided by the province or territory in serious cases.

Accordingly, child protection cases are given high priority for assistance by all legal aid programs in Canada.

Legal Aid in Other Provinces and Territories:
All provinces and territories of Canada participate in an informal reciprocal legal aid agreement. Under this agreement, residents of Prince Edward Island may obtain a limited range of legal aid services anywhere in Canada. A condition of inter-jurisdictional coverage for family and civil legal aid is that the legal service would be available to a non-resident if it was required in this province.

The reciprocal provisions are not required for criminal legal aid. Under the federal funding arrangements, criminal legal aid services must be offered by all provinces and territories to residents and non-residents alike.

Legal Assistance Provided by Other Family Justice Programs:
In addition to the family legal aid outlined in this report, the province provides services to individuals through a number of other family justice programs. Family court counsellors conduct home studies and provide family mediation and counselling. Child support guidelines officers assist self-represented litigants in the preparation of child support applications. Victim assistance workers assist victims of family violence, and maintenance enforcement officers collect and disburse child support payments.

Difference in Criminal and Family Legal Aid Reporting Procedures:
In this report there are some differences in the method of reporting expenditures for fees paid to private counsel for adult criminal cases, and those paid for family legal aid referrals. The differences originated with the claim process under the Federal-Provincial Funding Agreement for Adult Criminal and Youth Legal Aid, where shareable criminal case expenditures are calculated on the basis of completed cases. However, in this report the total expenditure for fees paid to private counsel in family and civil cases includes work in progress. Accordingly, the expenditures for fees paid to private counsel for family and civil cases do not relate solely to the number of new cases referred to private counsel within the year. Likewise, expenditures for referrals made late in the report year may not show up until the following year.

The data also reflect fundamental differences in the nature of criminal and family law processes. For instance, criminal prosecutions begin with a very specific and narrowly defined criminal charge. The trial proceeds on a tight time frame and ends with a clear and final resolution. Family matters, on the other hand, generally do not begin in the courts. Most start with negotiations or mediation and may never involve actual court processes. The identification of issues and the time frame of family matters are mainly determined by the parties, within the scope of the legislation and rules of court.

There is not the same obligation, as in the criminal trial process, to bring family law proceedings to a formal resolution.

These factors require differing approaches in the eligibility screening processes for criminal and civil legal aid services. Criminal applications are rarely withdrawn, and refusal rates are usually below 10 percent. Despite pre-screening efforts on the family/civil side of the program, approximately 19 percent of all applications were never completed by the applicant and were noted as "withdrawn."

An additional 11 percent of applications were refused. Reasons for refusal included coverage restrictions, financial eligibility, and lack of case merit. The reasons for incomplete and withdrawn applications remain somewhat unknown. The most common notation in those categories is that the applicant did not return with financial information to complete the application within 30 days and did not make any further contact to complete the application process.

Family and Civil Legal Aid Applications and Caseload:

		2012-13	2011-12	2010-11
1	Family and Civil Applications Received:			
	Charlottetown	308	360	362
	Summerside	156	131	165
	Total	464	491	527
2	Withdrawn Applications:	89	111	123
3	Refused Applications:	53	53	45
4	Applications Approved for Full Service by Priority Level:			
	Child Protection Act	47	57	53
	Family Level 1	40	39	52
	Family Level 2 and Other Civil	157	153	171
5	Applications Approved for Summary Assistance:	78	78	82
6	Family and Civil Cases Referred to Private Sector Counsel:	66	57	78
7	Interprovincial Applications:			
	Received From Other Provinces/Territories	8	10	73
	Sent to Other Provinces/Territories	10	6	
8	Family and Civil Legal Aid Applicants:			
	Male	26%	29%	27%
	Female	74%	71%	73%

Family and Civil Applications and Caseload by Region 2012-2013:

	Charlottetown	Summerside	Total
Applications Received	308	156	4.6454e+20
Refused	27	26	
Withdrawn	44	45	
Approved Full	178	66	
Level 1	32	8	
Level 2	119	38	
Child Protection	27	20	
Referred to Private Counsel	49	17	
Approved Summary	59	19	

Family and Civil Legal Aid Expenditures:

	2012-2013	2011-2012	2010-2011
Salaries and Operating Costs	891,193	904,528	813,828
	79,561	89,311	149,549
Fees to Private Counsel	**$970,754**	**$993,839**	**$963,377**

Combined Expenditures for All Services:

	2012-2013	2011-2012	2010-2011
Criminal Legal Aid:	850,710	820,001	874,427
Family and Civil Legal Aid:	970,754	993,839	963,377
TOTAL LEGAL AID EXPENDITURES:	**$1,821,464**	**$1,813,840**	**$1837,804**

Legal and Court Services

Director: Barrie L. Grandy, Q.C.

Family Law Section

Manager: Loretta Coady MacAulay

Vision Statement

The Honourable C. R. McQuaid Family Law Centre is based on the belief that the future of society depends on the well-being of its children. Since individuals, families, communities and governments all share responsibility for achieving that well-being, families must be valued and supported. The Family Law Centre was established to provide programs and services, in a coordinated manner, to families going through separation and divorce.

Mission Statement

To develop and continue family justice programs and services which promote and emphasize the best interests of the child. Federal funding has been provided since 1997 to assist the province with the development of initiatives and continuation of family justice programs to improve the delivery of family law services and reduce the negative impact of separation and divorce on families and children.

Main Activities

The Family Law Section is comprised of the Parent Education Program, the Family Court Counsellors' Office, including mediation services; the Child Support Guidelines Office; the Maintenance Enforcement Program; and the Administrative Recalculation Office.

The ***Positive Parenting from Two Homes*** Program is an educational program for parents who are separating/divorcing and/or parenting from two homes. This program is free of charge and is delivered in two three-hour sessions approximately one week apart. Trained facilitators provide information, present videos, facilitate discussion and answer questions to assist separated parents in understanding their feelings, their children's needs, and to develop a business-like relationship with the other parent. Information provided to parents during this educational program equips them to reach appropriate agreements regarding their children.

In FY 2012-2013, the *Positive Parenting from Two Homes* was delivered 12 times. The program was delivered in three communities across Prince Edward Island. It was delivered eight times in Charlottetown; twice in Montague; and twice in Summerside. A total of 89 parents completed the program.

The ***Positive Parenting From Two Homes "For Kids!"*** Program evolved from the *Positive Parenting From Two Homes* Program. The Program is a cost-free children's program. All children's programs are delivered in the school system, during school hours, and co-facilitated with the school guidance counsellors. The Program acts as a resource to the schools which makes the program accessible by many more children. Parents access the program through the school guidance counsellor. The guidance counsellors provide information to parents about the program and screen and register children. In FY 2012-2013, the *Positive Parenting from Two Homes "for Kids!"* Program was delivered, in partnership with the school system, to 8 groups in

three different schools across Prince Edward Island. Fifty-two children participated in the program.

The **Family Court Counsellors' Office** prepares homestudies for custody and access cases proceeding through the courts and mediates custody, access, and child support issues between parties as an alternative to proceeding to court. The services provided by the Family Court Counsellors' Office are provided free of charge and province-wide. In FY 2012-2013, there were 39 Court ordered home studies completed by the Family Court Counsellors' Office.

The **Mediation Service** is a free province-wide service that is coordinated by the Family Court Counsellors' Office to assist parents resolve issues of custody, access and child support. Each client is eligible for up to eight sessions or twelve hours of mediation service. Participation in the mediation service is voluntary. The mediator is located at Charlottetown and travels to sites outside of Charlottetown, as needed, to provide the service.

There were 129 client referrals in FY 2012- 2013. On March 31, 2013, 23 mediated agreements resolving all of the issues was reached; one mediated agreement resolving some of the issues was reached; 17 were in the mediation process; 24 had been terminated by the Mediator and 64 cases were screened out. The issues to be mediated in the 129 cases were as follows: 1 involved issues of custody, access, child support and assets; 7 involved issues of custody, access and child support; 40 involved custody and access; 55 access cases; 6 involved issues of access and child support; 2 custody, access and assets cases; 2 involved access, child support and assets; 2 involved assets; 2 child support; 9 custody; 1 access and assets; 1 assets and custody; in 1 case, the issues were unknown.

The **Child Support Guidelines Office** provides clients with information on the Child Support Guidelines and assists self-represented litigants prepare Court documentation required when applying to the Courts for either first time child support or a variation of child support in an existing order or agreement. The office also assisted clients in preparing consent orders when the parties agreed upon the amount of child support. This eliminated the need for a Court hearing. Furthermore, the office also provided clients with information regarding interjurisdictional support order cases and reviewed form-based applications going to Courts out of province.

In FY 2012-2013, the Charlottetown Child Support Guidelines Office assisted 220 self-represented litigants as follows: 43 Court applications in which a first request for child support was sought; 45 Court applications in which a variation of child support was requested; 21 ISO applications, in which 12 clients were requesting child support for the first time and 9 clients were requesting a variation of child support. The Charlottetown Child Support Guidelines Office also assisted eight clients apply for a provisional variation application under the Divorce Act. In addition, the office also assisted self- represented litigants obtain 33 consent orders for first time child support and 61 consent orders for a variation of child support. Further, the office assisted self-represented litigants prepare a response affidavit in 14 cases.

In FY 2012-2013, the Summerside Child Support Guidelines Office assisted 137 self-represented litigants as follows: 26 Court applications for first time child support; 24 Court applications in which a variation of child support was sought; seven ISO applications, of which 6 clients were requesting child support for the first time and 1 client was requesting a variation of child

support. The Summerside Child Support Guidelines Office also assisted two clients apply for a provisional variation application under the Divorce Act. The office also assisted self-represented litigants obtain 35 consent orders for first time child support and 30 consent orders for a variation of child support. In addition, the office assisted self-represented litigants with six response affidavits.

The **Maintenance Enforcement Program** collects and disburses child/spousal support payments and takes steps to enforce orders and agreements if payments are in arrears. In FY 2012-2013, the Maintenance Enforcement Program collected approximately $6,920,000 in support payments. In FY 2012-2013, the Maintenance Enforcement Program managed 2,045 cases, including 1,595 cases involving child support only, 63 cases involving spousal support only, 19 cases involving child and spousal support, and 368 cases for the collection of arrears only. Two hundred and five new child support orders were registered with the Maintenance Enforcement Program in FY 2012-2013.

In FY 2012-2013, the ISO Enforcement Officer received 21 ISO applications for child support or a variation of child support from other Canadian provinces and territories and forwarded 25 ISO applications to other Canadian Provinces and territories.

The **Administrative Recalculation Office** recalculates child support in cases where the original order/agreement provides for the automatic administrative recalculation of child support on an annual basis and where the discretion of the court is not required. This allows the parties to update child support in accordance with the parties' income without proceeding back through the courts. The office services all of Prince Edward Island. In FY 2012-2013, administrative recalculation of child support services were provided province wide in cases where the original order/agreement provided for the automatic administrative recalculation of child support on an annual basis and where the discretion of the Court was not required. Between April 1, 2012, and March 31, 2013, 96 new orders and agreements were filed with the Administrative Recalculation Office. In FY 2012-2013, there were 315 recalculation notices issued. Of the 315 recalculation notices issued, in 223 cases, the amount of child support increased; in 87 cases, there was a decrease in child support; and in five cases, the child support amount remained unchanged.

The manager of the Family Law Section coordinated all family justice initiatives in FY 2012-2013. Having a project manager oversee all family justice initiatives in the province allows for family justice services to be delivered in a strategic and coordinated manner. The participation of the manager on a number of Federal/Provincial/Territorial committees, working groups and sub-committees, including Working Group on Child Support, Working Group on s. 25.1 Recalculation Services; and Working Group on Parenting Contact allows for information sharing regarding best practices. It also allows provinces to provide input to the federal government with regards to specific needs of families experiencing separation and divorce in the provinces. The manager is also the Central Authority for Prince Edward Island under the Hague Convention on the Civil Aspects of International Child Abduction.

Judicial Services Section

Manager: Judy Turpin

Mission Statement

The mission of Judicial Services is to provide for the effective and efficient operation and maintenance of administrative services to all levels of courts in Prince Edward Island.

Main Activities

Judicial Services is responsible for administrative activities in both Civil and Criminal Courts in all three levels of Courts: Prince Edward Island Court of Appeal; Supreme Court of Prince Edward Island and the Provincial Court of Prince Edward Island.. Staff work with an objective to make the most effective and appropriate use of resources to provide and manage comprehensive court services programs across the province. Such activities include:

- general administration
- judicial administration
- court records
- docketing at the Supreme Court level
- stenographic, secretarial and court clerk services
- financial records
- enforcement
- Sheriff Services

Branches of Judicial Services

- PEI Court of Appeal, Supreme Court and Provincial Court
- Sheriff Services
- Prothonotary's office administration

Goals

The Judicial Services Section will continue to provide quality service to all those coming before the courts, as well as continue with its efforts to provide better access to justice for all individuals. The number of litigants appearing before the courts in Prince Edward Island has grown over the past few years. In addition, the number of litigants who choose to represent themselves in court has increased. .

A number of criminal justice reforms have been undertaken in Prince Edward Island Courts to improve the criminal justice system and increase access to justice, in particular for child victims and witnesses, and other vulnerable witnesses. The following examples are provided:

Supporting Child Victims and Witnesses: With funding support from the Victims of Crime Fund, PEI has implemented testimonial aids and other measures to help facilitate the testimony of children and other vulnerable victims and witnesses. These aids include availability of witness screens, support persons, and closed circuit television and videoconferencing capability in the four courthouses in PEI.

In addition to the technology that has been implemented, child friendly waiting rooms have been designated in each courthouse, equipped with appropriate furniture and supplies. For victims and their families, who can sometimes have long waits before testifying, this makes the experience of coming to court more comfortable and less traumatic.

With funding support from the Victims of Crime Fund, PEI courts have been equipped with technology equipment to more discretely display electronic documents or exhibits that are categorized as sensitive information (eg. pornographic images, potentially traumatic images such as autopsy photos in a case involving death, etc.). This technology allows the materials to be viewed by the Judge, Crown and Defence without being displayed to the whole courtroom, thereby demonstrating sensitivity and respecting the privacy of the victim and family members.

All PEI courts are now equipped with Assisted Listening Devices which provide enhanced audio to assist hard of hearing victims, witnesses and accused persons to participate in the court process.

Two stand alone portable CourtSmart Digital Recording Systems have been purchased to allow for testimony from a location outside the courthouse if appropriate, while still maintaining the ability to record the statement. This would assist in accommodating the safety needs of children and other vulnerable witnesses, and assist with contingency planning in the event of a disruption in availability of existing court facilities.

The Courts have also installed videoconferencing equipment which allows persons to testify from remote locations.

The PEI Court of Appeal in consultation with the Crown and Defence Bar has been working on modernizing the Criminal Appeal Rule. The intended effect of this modernization is to streamline transcript delivery and expedite matters when an accused's liberty is at stake. The rule will provide new forms that make it easier for self represented persons to represent themselves. The rule was published in the Canada Gazette in September of 2011.

With financial assistance from Justice Canada, the Provincial Courts have created three new bilingual clerical positions, with a position in Summerside, Charlottetown and Georgetown. The addition of bilingual staff greatly enhances the court's ability to communicate to its clients in both official languages throughout the court process.

Statistics

Provincial Courts - for a twelve month period ending March 31, 2013 the total number of charges laid in the three Provincial Courts was approximately 14,270. This figure includes Criminal Code, Federal Statute and Provincial Statutes offences. The Provincial Courts collected fines in the amount of $1,928,084.00.

Supreme Court - for a twelve month period ending March 31, 2013 the total number of actions started in the Supreme Court including General, Family, Divorce, Small Claims and Appeals were approximately 1779. Total grants issued from the Estates section were 337 and there were 7 petitions for passing of accounts and 4 File and Register only Estates, and 12 Reseals.

Court of Appeal
There were 19 appeals filed in the Court of Appeal during fiscal year 2012/13 – 15 civil appeals and 4 criminal appeals.

Sheriff Services

Sheriff: Ron Dowling

Sheriff Services provides services to citizens, the business community, the courts and other government departments. These services include court security, inmate escorts, fine collection, process serving, execution of court orders, and bailiff services.
Ending March 31, 2013, over 230 documents were processed and 320 new Writs of Execution were registered in the Sheriffs Registry. In terms of fine collection, 3,755 drivers license Suspension Orders were issued in support of fine collection efforts.

Legal Services Section

Manager: Terri A. MacPherson

Mission Statement
The mission of the Legal Services Section is to fulfill the constitutional mandate of the Attorney General, as chief law officer of the Crown, by providing quality legal services to the Government of Prince Edward Island.

Main Activities
The Legal Services Section is responsible for Government's civil law matters. Solicitors employed in the section provide comprehensive legal advice and legal services to government, including alternate dispute resolution services, and act for government in civil suits and tribunal proceedings. The following represents the types of legal service provided to government:

- represent the Director of Child Protection before the courts with respect to the protection of children;
- represent the Director of Maintenance Enforcement before the courts in the enforcement of court ordered financial support;
- appear before the Island Regulatory and Appeals Tribunal on ministerial appeals;
- represent the Government Self-Insurance and Risk Management Fund;
- represent the government in civil matters before the Supreme Court of Prince Edward Island and the Prince Edward Island Court of Appeal;
- represent the government in civil appeals before the Supreme Court of Canada;
- provide legal opinions on a wide range of matters to all government departments and to some commissions, agencies and Crown corporations;
- participate on a number of federal/provincial/territorial committees such as Forum on Management Issues, Aboriginal Law, Charter Conference, Uniform Law Conference;
- provide advice on contracts and tender documents.

Goals

The trend over the past few years has shown that the need for legal services has continually grown with an increase in its caseload and the complexity of some legal issues. The Legal Services Section will continue to maintain its current client base and existing service levels but will monitor the situation to ensure that all clients continue to receive quality service.

Office of the Public Trustee, Public Guardian and Official Guardian

Manager: Mark Gallant

The Office of the Public Trustee, Public Guardian and Official Guardian is a service made available to the public for the purpose of ensuring that vulnerable members of our society are appropriately cared for and are not at risk. Through the work of the office the physical and financial well being of vulnerable clients is maintained in the best interest of that person. The office is called upon to assist a vulnerable person in matters of a personal and/or financial nature where there are no family or friends who are ready, willing and able to assist the person and there is an apparent need for assistance. The office operates on the principal that decisions made on behalf of a client of the office will always be made in the clients best interest .

Although the directing legislation for managing the affairs of a persons financial and personal interest empowers the office to step into the decision making role of a client, the office strives where possible to work through decisions on behalf of clients with the client themselves. The office maintains that where possible, working with the client in the decision making process is tantamount. It forms part of the mandate of the office. The integrity of the client will always be seen as a guiding principal in the work that is carried out by the office.

The Official Guardian role of the office provides for an independent oversight on behalf of minors and vulnerable adults of court settlements and other matters which may impact on the rights of these unrepresented parties in legal proceedings.

The Office of the Public Trustee, Public Guardian and Official Guardian was officially established as of April 1, 2009, under the Legal and Judicial Services Division of the Office of the Attorney General (now the Legal and Court Services Division of the Department of Justice and Public Safety). Prior to April 1, 2009, the Office of the Public Trustee, Public Guardian and Official Guardian were separate offices under different divisions and in some respects, different departments. The three offices were amalgamated and put under the authority of the Attorney General due to the unique legal authorities and aspects of the work of the offices.

As at March 31, 2013, there were 328 Public Trustee client accounts and 49 Public Guardian clients. In addition, this office now handles the Official Guardian role and a number of files were opened this year while additional files were brought forward from the previous years when the Official Guardian was not part of the office.

Public Trustee:
The Public Trustee is established as a corporation sole under the Public Trustee Act pursuant to an appointment of the Minister of Environment , Labour and Justice. The powers of the Public Trustee are established pursuant to the Public Trustee Act. The Public Trustee on appointment as committee for a client is empowered to manage the legal and financial affairs of a vulnerable person. The Public Trustee has also been granted specific powers by numerous pieces of legislation and the Rules of Court of the Province of Prince Edward Island. The Public Trustee can be appointed as Committee of a person upon receipt of 2 medical certificates from 2 practicing physicians within the province of Prince Edward Island (one designate is to be the attending physician of the person) who make a finding that a person is no longer able to manage his or her financial affairs by reason of incapacity. Certificates are based on a thorough assessment of the individual by the physician. In many instances at least one assessment is conducted by the provincial geriatrician or a psychiatrist. The Public Trustee may also be appointed to act as committee pursuant to an order of the court.

Upon being appointed committee the Office of the Public Trustee will move to establish the asset base of the client and what is required for the benefit of the client to ensure that he or she is appropriately cared for. The Public Trustee will attempt where possible to gain guidance for any decisions that he makes from the client and is quick to recognize the importance of personal choices of a client and the clients desire to continue to participate in activities that are of interest of the client. The office will, in working with the client, attempt to advance the clients wishes where doing so is justifiable on a financial management basis.

The funds held in trust by the Public Trustee are not public funds, but personal funds of individuals who have been declared legally incapable of managing their financial and legal affairs. In addition, the Public Trustee holds funds on behalf of minors or other persons who are under disability which were awarded through court settlements, estates, or under Attorney General's Orders pursuant to the Victims of Crime Act. The Public Trustee is also called upon to represent deceased persons estates in certain situations and act as Administrator of Estates when no one else is available or qualified to do so. In addition, the Public Trustee may act as litigation guardian for minors or other persons under legal disability, and may intervene in private applications for trusteeship if the Public Trustee considers it appropriate in the circumstances.

As at March 31, 2013, there were 328 Public Trustee clients with balances in their accounts ranging from $18 to $1,432,132. As at March 31, 2012, there were 325 client accounts with balances ranging from $18 to $1,489,640. The trust accounts are audited annually by the Auditor General and his report is available to the public.

There is a Public Trustee Advisory Committee which is consulted from time to time regarding administration and other issues as the need arises.

Public Guardian:
The Public Guardian is established under Part 3 of the Mental Health Act by court order. Upon being appointed as guardian, the guardian is empowered to make decisions of a personal nature on behalf of a client. Decisions made by the guardian may involve areas such as personal health care, residence, education , nutrition, and medical care. As with the Public Trustee authority, although the guardian is authorized to replace the decision making of the client, the public

guardian will where possible, work with the client to advance decisions for the benefit of the client.

The Public Guardian sees its mandate as working with the client where possible in order to make decisions which are in the client's best interest. The Public Guardian, in respecting the integrity of the client, will work to involve the client, where possible in all decisions made on behalf of the client.

The clients of the Public Guardian are adult individuals who have been declared legally incapable of making decisions of a personal nature which are in their best interest. As it is recognized that without representation by a guardian the inability of the client to act on his/her own is putting that persons personal health at risk, the appointment of a guardian pursuant to the provisions of the Mental Health Act is determined to be a necessity.

With the exception of decisions regarding finances, the Public Guardian is responsible for making all personal decisions for clients related to all areas of daily living, including but not limited to those areas discussed previously. In addition, the Public Guardian is also mandated to make medical decisions on behalf of certain individuals, on a case-by-case/incident-by-incident basis, as a substitute decision-maker under the Consent to Treatment and Health Care Directives Act, when the individual is unable to consent to a required medical intervention and there is no one else available or able to consent to the medical intervention on behalf of the individual.

Increased Workload for Office of Public Trustee, Public and Official Guardian

The number of complicated client files under the Public Trustee has been increasing each year. It appears that many persons being admitted to supervised care and/or nursing care are being declared incompetent to manage their financial affairs before admission to a facility, and individuals remaining in the community are appearing to be becoming more vulnerable to being taken advantage of financially by others. The files are becoming more and more complex and are requiring much higher levels of involvement by the Public Trustee. Also, due to increasingly complex family dynamics, there is progressively more interaction with extended family members being required. The number of inquiries from the public and time spent responding to such inquiries, including explaining the process and trusteeship roles and responsibilities, has also been increasing steadily.

The number of client files under the Public Guardian has also been steadily increasing each year, and it is anticipated that this trend will also continue and very likely accelerate, particularly given the aging demographic of our society. As well, it is anticipated that the role of the Public Guardian will become increasingly more involved. The number of younger clients has been increasing in about equal number to the more aging clients. Over the years we have several clients pass on . Overall the physical ability of our clientele is increasing with many being much younger. As well, as previously indicated ,individual files are becoming progressively more complex. The end result is that the participation of the Public Guardian office with each client is for a longer term and the issues and work involved with the client are more complex.

It is anticipated that the changing age demographics, increase in individuals remaining in their homes longer ,a decrease in family and/or community support for vulnerable persons and other

societal changes will add to the client numbers and increased complexity of cases for both the Public Trustee and Public Guardian.

The office continues to enjoy a close working relationship with the health care system and other agencies. As a result both offices are better able to deal with personal and financial client issues. This further assist our offices to find the most appropriate alternatives and services for clients determined unable to look after their financial and personal affairs.

Staff

Public Trustee, Public Guardian, Official Guardian	Mark L. Gallant
Deputy Public Trustee	Robert L. Landry
Deputy Public Guardian	Judith A. Harper
Administrative Assistant	Nancy L. Walker

Legislative Counsel Office

Director: Shawn B. Flynn

***Mandate*:**

The Legislative Counsel Office is responsible for the following services and functions:

- reviewing proposals for bills;
- drafting bills and regulations for government;
- providing legal advice to government respecting legislation;
- drafting government motions respecting government bills;
- providing legal advice to the Operations Committee;
- providing a variety of services to the Legislative Assembly, including
  - staffing the position of the Law Clerk,
  - drafting and formatting legislation for Private Members,
  - indexing the Private Acts of the Assembly, and
  - sending bills to the government Web Site for the assembly;
  - maintaining the printed and electronic records of the legislation of Prince Edward Island, including:
  - preparing consolidated statutes after each Session of the Legislative Assembly for thegovernment Web site;
  - updating the electronic data base of the statutes and regulations of PEI;
  - updating the electronic histories of the amendments made to the Legislation of PEI;
  - maintaining the Legislative Counsel Web Site; and
  - preparing the Annual Volume of the Statutes of PEI.

***Mission Statement*:**

The mission of the Legislative Counsel Office is to draft and coordinate the publication of all government bills and regulations for the Government of Prince Edward Island.

***Main Activities*:**

(1) During the Fall 2012 and Spring 2013 Sessions, 53 government bills and 2 private bills prepared by the Office were enacted (approximately 446 pages in total).

(2) In addition, 71 regulations (approximately 265 pages) were completed by the Office from April 1, 2012 to March 31, 2013.

(3) The consolidated versions of the regulations and the Acts of Prince Edward Island were updated frequently and made available to the public on the government website.

Community Safety and Justice Policy Division

The Community Safety and Justice Policy division oversees a number of enforcement, public safety, and justice policy programs. The division is responsible for policing services, the provincial Investigation and Enforcement officers, the Coroner's Office, the PEI Firearms Office and the Office of Public Safety. In addition, it participates in a number of crime prevention and community safety programs. Division staff members manage Provincial Access and Privacy Services, provide policy analysis and advice to the Attorney General and Deputy Attorney General; and participate in interministerial policy groups, as well as federal-provincial and territorial justice research, statistics, and policy forums.

Access and Privacy Services

The Access and Privacy Services Office is responsible for processing requests received by Environment, Labour and Justice and providing advice and guidance to Freedom of Information and Protection of Privacy (FOIPP) Coordinators across government.

Requests received under the *Freedom of Information and Protection of Privacy* (FOIPP) *Act*:

	2010-2011	2011-2012	**2012- 2013**
# Requests for records (includes personal information requests)	110	83	**115**
# Privacy requests	3	4	**3**
# Total	**113**	**87**	**118**

* Source: FOI Request Tracking Security Database

Breakdown of FOIPP requests to access records by applicant type*:

	2010-2011	2011-2012	**2012-2013**
Personal	5	15	**12**
Individual	48	31	**46**
Media	15	17	**33**
Political Party	8	0	**1**
Business	8	10	**4**
Legal firm	17	3	**17**
Community Group	8	2	**0**
Union	1	0	**0**
other/unknown	0	5	**2**
# Total	**110**	**83**	**115**

* Source: FOI Request Tracking Security Database

Outcome of completed FOIPP requests to access records*:

	2010-2011	2011-2012	2012-2013
Records disclosed in part, or full	65	41	34
Abandoned	8	4	4
No records found	7	8	9
Records refused/denied in full	7	5	1
Records provided as routine disclosure	8	4	18
Request withdrawn	2	3	12
# Total	**97**	**65**	**78**

* Source: FOI Request Tracking Security Database
** Records that were not completed within the fiscal year are not included

Who received FOIPP requests to access records*:

	2011-2012	2012-2013
Environment Labour and Justice	22	22
Transportation and Infrastructure Renewal	4	18
Health PEI	14	13
Finance, Energy and Municipal Affairs	9	11
PEI Liquor Control Commission	0	7
Community Services and Seniors	7	7
Innovation and Advanced Learning	4	6
Health and Wellness	3	6
Education and Early Childhood Development	4	6
Premier's Office	1	3
Agriculture and Forestry	1	3
English Language School Board	9	3
Workers Compensation Board	0	2
Executive Council	0	2
Tourism and Culture	1	2
Island Waste Management Corporation	0	1
Fisheries, Aquaculture and Rural Development	2	1
PEI Legal Aid	0	1
Public Service Commission	2	0
Elections PEI	0	1
# Total	**83**	**115**

* Source: FOI Request Tracking Security Database

Staff Resources:

	2010-2011	2011-2012	2012-2013
Access and Privacy Services Office	1 FTE	2 FTE*	2 FTE*

* The increase is the result of a reorganization and does not reflect an increase in staff resources.

2012 - 2013 Highlights:

- The Access and Privacy Services Office welcomed the following newly delegated FOIPP Coordinators and/or Alternates:
  - Carrie Keizer - Community Services and Seniors
  - Kendra Graham - Health PEI
  - Olive Moase - Health and Wellness
  - Fraser MacCallum - Fathers of Confederation Trust
  - Gary MacLeod - Elections PEI
  - Blair Barbour - Education and Early Childhood Development

- The Access and Privacy Services Office supported staff of the Public Service Commission; Environment, Labour and Justice; Tourism and Culture; and Health and Wellness to conduct Privacy Impact Assessments (PIA's) on new and/or revised programs. The PIA tool identifies appropriate/compliant collection, use and disclosure of personal information.

- The Access and Privacy Services Office provided "Tips for Protecting Privacy During the Holiday Season" to Communications PEI. The tips wereposted to government social media during the month of December 2012.

- The Access and Privacy Services Office coordinated a privacy awareness campaign promoting privacy protection for International Data Privacy Day on January 28, 2013. The two week campaign used social media to distribute data privacy messages, images and resources with the help of Communications PEI and their government Facebook and Twitter accounts.

- The Access and Privacy Services Office presented monthly orientation sessions running from September 2012 to May 2013. FOIPP Coordinators and Alternates attended the series which provides general training on processing requests and protecting personal information.

- The Access and Privacy Services Office coordinated a student design project with Holland College Graphic Design Department. Students created ten unique images representing access and privacy.

- The Access and Privacy Services Office supported two privacy breach investigations to identify the cause of the breaches and recommended actions to avoid or minimize a repeat of such breaches.

- Monthly email reports that include FOIPP statistics, announce new and departing FOIPP Coordinators/alternates and current events were distributed to the FOIPP community.

- In September 2012, the Access and Privacy Manager attended a face-to-face meeting in New Brunswick of a National Privacy Sub-Committee. (The sub-committee reports to the Public Sector Chief Information Officer Council and the Public Sector Service Delivery Council). Privacy Sub-Committee membership includes representation from all levels of government including federal, provincial, territorial and municipal.

- The Access and Privacy Services Office presented FOIPP information to new employees at an orientation coordinated by the Public Service Commission.

Investigation and Enforcement

Provincial regulations and laws are upheld on Prince Edward Island by the Investigation and Enforcement section and its force of Conservation Officers who work the highways, shores, farmlands and wild places of this province.

Conservation Officers (COs) are peace officers whose job is to preserve and protect the province's natural resources and to uphold provincial legislation. Conservation Officers are professional, armed specialists trained to police standards and educated in environmental management. Conservation Officers focus their enforcement on the natural resource and public safety provisions of provincial legislation and federal law, including the Criminal Code.

The number of Conservation Officers in the field this past year included five full-time officers: the Chief Conservation Officer, one officer in Prince County, one officer in Queens County, and two officers in Kings County. There was also one seasonal Conservation Officer. The section has two part-time pesticide inspectors. The Pesticide Officers primary duties are to insure compliance of the *Pesticide Control Act* and associated regulations. A high percentage of the infractions are a direct result of complaints from the public.

Legislation Enforced by the Enforcement and Investigation Section

Environmental Protection Act
Wildlife Conservation Act
Pesticide Control Act
Migratory Bird Convention Act
Federal Fisheries Act
Trails Act
Unsightly Property Act
Automobile Junk Yards Act
Canada Shipping Act, Small Vessel Regulations
Trespass to Property Act
Fire Prevention Act
Forest Management Act
Agricultural Crop Rotation Act
Off Highway Vehicle Act
Highway Traffic Act
Species at Risk Act
Recreational Development Act, Parks
Planning Act
Natural Area Protection Act
Beverage Container Act

Enforcement Statistics 2010-12

	2010		2011		2012	
	Charges	Warnings	Charges	Warnings	Charges	Warnings
Environmental Protection Act	59	82	79	101	65	39
Wildlife Conservation Act	24	20	14	27	22	35
Migratory Bird Convention Act	0	04	01	03	04	13
Federal Fisheries Act	14	07	03	02	01	01
Automobile Junk Yard Act	04	0	01	0	02	0
Unsightly Property Act	04	0	02	0	01	0
Pesticide Control Act	07	10	04	41	09	09
Trespass to Property Act	05	0	02	02	04	04
Trails Act	08	02	04	0	04	01
Canada Shipping Act	05	0	01	0	0	01
Off Highway Vehicle Act	21	25	11	09	46	31
Highway Traffic Act	01	01	01	0	03	0
Fire Prevention Act	0	0	0	0	05	01
Agriculture Crop Rotation Act	0	01	0	01	0	01
Planning Act	01	0	0	0	0	0
TOTALS	153	152	126	186	166	136

Justice Policy and Planning

The Justice Policy and Planning section serves as a resource to the department in the areas of justice policy development, intergovernmental and interdepartmental policy forums, and departmental planning.

The Justice Policy and Planning Section:

- provides policy analysis and advice to the Attorney General and Deputy Attorney General
- coordinates departmental criminal justice policy development;
- participates in managing the policing contract with the RCMP;
- coordinates planning for the department;
- serves as the department representative on a number of interdepartmental policy committees;
- serves as the department's liaison for federal/provincial/territorial (FPT) criminal justice committees and working groups;
- represents the provincial government at the FPT Continuing Committee of Officials on Human Rights;
- provides departmental coordination for the French Language Services Act;
- provides departmental coordination for the creation and amending of legislation;
- provides leadership and federal/provincial liaison regarding justice research and statistics; and
- provides leadership to the High Risk Offenders Advisory Committee and the Provincial Implementation Committee for the Sex Offender Registry.

Justice Resource Service

The mandate of the Justice Resource Service is to encourage community involvement in justice issues. The Justice Resource Service provides provincial leadership on selected justice issues with an emphasis on community and social development.

Highlights and Initiatives

Crime Prevention/Community Safety

The PEI Partners for Community Safety is a knowledge and communication network where people learn from each other and make links among activities to strengthen the impact for safer communities. Everyone contributes to safer communities and there are partners from eight sectors: community organizations; community interest groups; Aboriginal justice; municipalities; provincial and federal government departments; the private sector; and police. The purpose is to work collaboratively across government and community sectors to reduce crime and create supportive environments where people feel safe and are safe. The Partners published two newsletters and an annual report.

The long-term goals are to:

- Increase the capacity of local communities to address crime and victimization;
- Reduce risk factors and increase protective factors for individuals and families;
- Address unique needs of vulnerable people; and
- Create supportive environments for individuals and families.

Youth Engagement Project (YEP)

PEI Partners for Community Safety, in partnership with Health PEI, funded eight short term community projects intended to strengthen the work of community groups and to increase their capacity to engage at-risk youth ages of 12-24. All projects were activity-based and directly involved youth. Seed money was provided to eight different projects working with youth who were actively using, or at risk of using drugs/alcohol. The project ran from August 2012-March 2013. Funding was from Health Canada's Drug Treatment Funding Program and the work built on the knowledge and expertise of the PEI Partners for Community Safety.

Aboriginal Justice

Mi'kmaq Confederacy of PEI Aboriginal Justice Program

The Justice Resource Service continued to provide support to the Mi'kmaq Confederacy of PEI Aboriginal Justice Program (MCPEI AJP). The MCPEI AJP has an Advisory Committee that includes Lennox Island and Abegweit First Nations, the Aboriginal Women's Association of PEI and the Native Council of PEI. Funding for MCPEI AJP is cost-shared through Canada's Aboriginal Justice Strategy (AJS) and the last five year cycle of the AJS ended on March 31, 2012. The AJS was renewed for one year in the 2012-2013 federal budget. Successful events included the 6th Aboriginal Justice Forum held in October 2012.

Justice Policy and Planning Forum

The Canada/PEI/Mi'kmaq Partnership Agreement was signed in 2007 by the Chiefs of Lennox Island and Abegweit First Nations, the Premier of PEI, and the Minister of Indian and Northern Affairs Canada. The three leaders meet annually to ensure progress and accountability with respect to the work undertaken in accordance with the Agreement and a Coordinating Committee has been formed with representatives from each party. The Coordinating Committee selected representatives from each party to sit on each of the five Policy and Planning Forums (PPF) which are focused on justice; education; health; child and family services; and employment and economic development. The purpose of each Policy and Planning Forum is to achieve tangible positive results for the Mi'kmaq by identifying priorities and developing strategic work plans, deliverables, and performance indicators. The Justice Resource Service serves on the Justice Policy and Planning Forum.

A Strategy to Reduce Impaired Driving in Prince Edward Island

Impaired driving in Prince Edward Island is a significant public safety and social policy issue. This is a complex and multi-faceted issue with varying perspectives on the problem and how to address it. In October 2012, the Deputy Minister of Environment, Labour and Justice invited people to participate in an Ad Hoc Working Group on Impaired Driving Prevention with a mandate to develop a three-year strategy. The Justice Resource Service facilitated this process. Membership included representatives from community groups; the Federation of Prince Edward Island Municipalities; provincial government departments; the PEI Liquor Control Commission; and policing agencies. The final report, A Strategy to Reduce Impaired Driving in Prince Edward Island makes 24 recommendations under six main strategic directions: governance; public education and prevention; policing and enforcement; victim and family support; policy and legislation; and interventions with offenders. The Report balances the need for immediate action with the need for long-term planning building on past and current work in various sectors.

Policing Services

The Police Act (The "Act") requires chief officers, the Directors of the Atlantic Police Academy and UPEI Security Services to submit registers by March 31 of each year to the Minister reflecting the previous calendar year. The Registers portray the activity related to appointments pursuant to the Act. A summary of the 2012 Registers is as follows:

Annual Police Act Register for 2012	Appointments brought forward from 2011	New Appointments	Revocations	Appointments to carry forward at end of 2012
Charlottetown Police Services	61	6	5	62
Summerside Police Services	31	3	2	32
Kensington Police Service	6	0	0	6
Subtotal - Police Officers	98	9	7	100
Security Police Officers - UPEI	7	4	4	7
Atlantic Police Academy				
Staff	13	2	3	12
Police Cadets	0	74	74	0
Auxiliary Constables	22	0	0	22
TOTALS	140	89	88	141

The Act prescribes a procedure for making a complaint against a municipal police officer and instructing officers at the Atlantic Police Academy. For the calendar year 2012, the following chart portrays the number of complaints which were received and the results of ensuing investigations:

Complaints submitted in 2012	Number submitted	Investigated and substantiated	Investigated and found to be unsubstantiated	Investigated and discontinued/withdrawn
Charlottetown Police Services	7	1	6	0
Summerside Police Services	2	0	2	0
Kensington Police Service	0	0	0	0
Security Police Officers - UPEI	1	1	0	0
Atlantic Police Academy	0	0	0	0

There were no reported occurrences when persons appointed pursuant to the Act failed to comply with the National Use of Force Framework endorsed by the Canadian Association of Chiefs of Police.

The Police Policy/Training Advisory Group (group), chaired by the Policing Services Manager, continued to refine the training and policy framework for police services. Some highlights were:

- Police services extended their appreciation to the Victims of Family Violence Act Steering Committee who continued to offer annual training to police services in the province in the area of police response to family violence.
- An annual review of each police service's compliance with the Minister's Directive on Police Training conducted by the Policing Services Manager demonstrated that advances are being made in ensuring all officers are trained in accord with the requirements of the Training Regulations and compliance is appropriately documented by police administrators.
- An annual review of each police service's compliance with the Minister's Directive on Appointments and the Minister's Directive on Identification Cards was conducted by the Policing Services Manager.

Based on a sharing formula developed by police agencies, the department continued to distribute to eligible police agencies their respective portions of the annual $50,000 provincial contribution to municipal police training.

The department worked to establish a protocol among police services in the province for law enforcement in the waterways surrounding Charlottetown Harbour and Summerside Harbour. The protocol provided clarity to police services and all first responders as to areas of police jurisdiction and contributed to more effective and efficient delivery of emergency services, patrol responsibilities and the conduct of investigations.

A protocol between Charlottetown Police Services and the RCMP clarified areas of jurisdiction at the perimeters of their respective jurisdictions.

As prescribed in the *Police Act*, the Minister was provided annual reports for the calendar year 2012 by municipal police services, the Atlantic Police Academy, the RCMP and security police officers employed by the University of P.E.I.

Effective May 2012, the Borden-Carleton Police Service discontinued operations and the RCMP commenced delivering policing services to the community. The province entered into an Extended Services Agreement with Borden-Carleton for the services of one RCMP officer position to provide focused service to the community.

The province entered into a twenty year Provincial Policing Agreement with Canada commencing April 2012 continuing a long standing relationship that the province has had with the RCMP as a provincial police service. The RCMP submitted an Annual Report to the Minister.

Census data reported that the population of the town of Cornwall exceeded 5,000 thereby rendering the town ineligible to contract with the province for an Extended Service Agreement (ESA) for RCMP services. Cornwall commenced process to enter into a Municipal Police Services Agreement (MPSA) with the RCMP.

Montague discontinued their MPSA and commenced an ESA for one officer. Tignish, Alberton, O'Leary, and Souris each renewed their one officer ESA.

Police Commissioner and former Chief Justice Gerard Mitchell, Deputy Police Commissioner Roy Ridlington and Manager/Senior Investigator Paul Stetson continued to provide the services of the Office of the Police Commissioner. The Office of the Police Commissioner is mandated by the *Police Act* to review decisions of chiefs of police and the Director of the Atlantic Police Academy regarding complaints made pursuant to the Police Act and to investigate complaints made against security police officers, chiefs of police and the Director of the Atlantic Police Academy. The Police Commissioner submitted a 2012 annual report to the Minister which is available on the Office of the Police Commissioner website: http://www.policecommissioner.pe.ca/.

The Policing Services Manager contributed to the following working groups/committees:

national "Use of Force" policy working group;

- the provincial coordinating committee for Amber Alert;
- national criminal records working group – Canadian Criminal Real Time Identification Services;
- the Atlantic Coordinating Committee on Organized Crime, the National Working Group on Organized Crime and the National Coordinating Committee on Organized Crime;
- ex-officio member of the Provincial Executive Committee of CISPEI;
- participated in meetings of the P.E.I. Association of Chiefs of Police;
- coordinated the High Risk Offenders Advisory Committee which met on a quarterly basis and additionally as required to contribute to the effective management of high risk offenders in the community.

In anticipation of the expiration of the federal Police Officer Recruitment Fund (PORF) on March 31, 2013, the department and police services in the province engaged in discussions to identify a means to continue the operations of CISPEI or to identify another framework within which the requirements for a criminal intelligence capability in the province would be addressed.

The Policing Services Manager, in the role of Departmental Emergency Services Officer (DESO), continued work with the Business Continuity Coordinator and implementation teams toward development of a business continuity plan for the department. The DESO continues to refine the department's emergency plan.

PEI Firearms Office

In 2012-2013 there were 37 organizations that had business licenses under the *Firearms Act*. Thirteen of these are businesses licensed to sell firearms, restricted and non-restricted, one is a theatrical company, two are armed guard companies and four are museums. Fifteen businesses are licensed to sell ammunition only. One company had a business license for firearms safety training instructional purposes only and one company is a wholesale distributor for ammunition only.

As well, there were 491 new firearms Possession and Acquisition Licenses (PALS) issued for the purpose of acquiring firearms from April 1, 2012 to March 31, 2013 and there were 754 firearms licenses renewed during this period.

There are three CFO approved shooting clubs: one in Queens County, the Big Boot Shooting Club; and two in Prince County, the Livingston Family Gun Club and the Prince County Sports Club Inc.

In addition to licensing firearms businesses, this office issued 49 Authorizations to Carry firearms to armed guards who work within the province and 404 Authorizations to Transport firearms for various purposes.

Personnel

Chief Firearms Officer	Vivian Hayward
Provincial Firearms Officer	Peter Coady
Secretary	Debbie MacKenzie

PEI Office of Public Safety

The PEI Office of Public Safety, includes the 911 Administration Office, the Provincial Fire Marshal's Office, the PEI Emergency Measures Organization and the Business Continuity Management Program for Corporate Government. It is also responsible for representing Prince Edward Island on the tri-province Maritime Radio Communications Project.

The PEI Office of Public Safety is co-located with Public Safety Canada in the Joint Emergency Operations Centre on the sixth floor of the National Bank Tower in Charlottetown. (See S.II for more details on the JEOC).

The Office of Public Safety website at www.peipublicsafety.ca includes practical information on courses and training offered, tips for personal emergency preparedness, planning templates for municipalities and organizations, and even a kid's fun page to help children become more familiar with emergency preparedness and simple safety precautions. The webpage is supplemented by Facebook and Twitter sites, @peipublicsafety, which are regularly updated with preparedness tips, emergency public alerts and safety messages.

911 Administration Office

The Prince Edward Island Emergency 911 Service operates under the authority of the *Emergency 911 Act*. The E911 System is a basic call answer/transfer system. For traditional, wire-line phones, specialized E911 software automatically draws information from a main data base and presents critical information on the call-takers screen, including the origin telephone number, the civic address location for that telephone, and call transfer keys for the fire, police and ambulance agencies which service that location. The system employs many built-in and back up features, such as call overflow routing, operator controlled disconnect, quick call back and

manual line identification functions, all of which are consistent with public safety. The system is also engineered to handle a variety of incoming languages, as well as calls from people who are deaf or hard of hearing (TDD).

Working in conjunction with the Geomatics Division of Finance and Municipal Affairs, the 911 Administration Office plays a lead role in maintaining the provincial civic addressing data base, which serves as the foundation of the E911 Service. Cooperative arrangements have been established with 17 Island municipalities enabling them to report addressing changes directly to the 911 Administration Office. The flow of approved property development permits and sub-division application documents enables the 911 Administration Office to assign new civic addresses within rural-provincial addressing jurisdiction and within twelve smaller municipalities. The 911 Administration Office also ensures that new private roadways are adequately named and signed. The provincial department of Transportation and Infrastructure Renewal is also an integral partner in civic addressing matters involving official names for public roads, field signage for public roads, signage for private roadways and community name signage.

The 911 Administration Office regularly communicates with representatives of the emergency service community to improve public understanding of the E911 System and to provide the tools and information necessary to improve individual service capabilities and mutual aid agreements.

Public awareness and education continues to be an important activity of the 911 Administration Office. Public notices are issued regularly through traditional and social media to serve as important reminders about the E911 service and the provincial civic address system.

The provincial 911 Administration Office maintains the province's Master Dictaphone System, which records all 911 emergency calls placed on the Island. During the period April 1, 2012 and March 31, 2013 - the E911 system's 13th year of operation - approximately 29,685 emergency calls were received by the province's three Public Safety Answering Points (PSAPs). This is a 5.7% decrease in the total number of calls received (31,502) during the period from April 1, 2011 to March 31, 2012.

Initiatives:

- Staff from the Office of Public Safety meets on a regular basis with representatives from Police, Fire and EMS to discuss quality control issues and other matters respecting the E911 Service and the downstream dispatch of these entities.
- Staff participated in the consultations with the Canadian Radio-Television and Telecommunications Commission (CRTC) on the following issues in relation to 911 services: the Wireless Phase II project for identifying the location for 911 calls; Voice over Internet Provider (VoIP) services; and 911 text messaging initiatives for hard of hearing individuals.
- The 911 Administration Office has worked closely with Medavie EMS to develop the training curriculum used to train all new 911 call takers.
- The 911 Administration Office also worked with the 911 software vendor to upgrade the software to participate in a National In Call Location Update trial for wireless calls. In July of 2012, PEI became the first province in Canada to trial and implement this new technology that will allow a 911 call taker to track an active 911 caller that might be mobile.

911 Administration Office
Statistical Figures
(April 1, 2012 to March 31, 2013)

911 Calls Received by three PSAPs	29685
Public Inquiries to Administration Office (primarily related to 911 and Civic Addressing)	2,592*
Private Roadways Identified, Named, and Signed	27
New Civic Addresses Assigned	1106
Amendments to Civic Address Assignments - Provincial/ Municipal	251
Official Public Road Name Assignments/Amendments	19
911 Service Query Investigations	1
Certified 911 Call Transcripts provided, as per Court Order	8

*Approximate

Emergency Measures Organization

The PEI Emergency Measures Organization (EMO) is responsible to administer the *PEI Emergency Measures Act* and to coordinate and manage emergency management activities on behalf of the province. Emergency management includes the process of mitigation, preparedness, response and recovery for the protection of persons, property and the environment in response to emergencies and disasters.

Financial Assistance

The Emergency Measures Organization administers, in cooperation with Public Safety Canada (PSC), two federal financial assistance programs dedicated to emergency management: the Joint Emergency Preparedness Program (JEPP) and Disaster Financial Assistance Arrangements. Public Safety Canada announced during the year that the JEPP program would end March 31, 2013.

Prince Edward Island is alloted $100,000 of earmarked funds through the JEPP program. Eight projects were funded through this program during the 2012/13 fiscal year - the final year of JEPP.

Applicant	Project	Federal Contribution
Municipality of Miltonvale Park	Generator - Reception Centre/EOC	$9,639.90
Municipality of Lot 11 and Area	Generator - Reception Centre	$5,561.04
Municipality of Cornwall	Generator - Reception Centre	$17,693.78
Municipality of Cornwall	Generator - EOC	$16,707.39
Office of Public Safety	Training and Education	$9,344.24
Crapaud Fire Department	Snowmobile Rescue Equipment	$4,931.94
Municipality of Crapaud	Generator - EOC	$9,792.10
Municipality of Souris	Generator - Reception Centre	$18,590.00
	TOTAL	**$ 92,260.55**

Emergency Public Information
EMO encourages and promotes public awareness of emergency management by delivering informative presentations to various groups and by providing educational material and resources to the general public.

Throughout the year Public Safety Officers participated in numerous community presentations and information sessions across the Island. Public Safety Officers conducted 10 public presentations throughout the year.

Emergency Planning
EMO continues to work with municipalities across the Island to provide guidance for emergency management. Public Safety Officers worked closely with more than nine municipalities to provide Emergency Management awareness sessions to members of the municipal councils, and to assist - through planning, training and exercising - councils to develop Emergency Management Programs.

Training
The Emergency Measures Organization delivers emergency management training to those with a responsibility or response role to emergencies. EMO teaches seven different courses including: Basic Emergency Management, Emergency Operations Centre Management, Emergency Public Information, Exercise Design, and Incident Command System (200-400 levels). Exercise Design 100 and Incident Command System 100, both self study courses, are also administered by our office. A total of 314 people registered for the self study courses.

Throughout this fiscal year, EMO offered a combination of the seven courses providing 14 training sessions and educating more than 235 people. In addition, the Basic Emergency Management course is regularly delivered to cadets at the Atlantic Police Academy in Summerside. This year Public Safety Officers provided training to 80 cadets.

Exercising
Exercising is a critical component of a comprehensive Emergency Management Program; testing plans and enhancing operational relationships between response agencies are just two of the key benefits to exercising. EMO assists municipalities, government departments, volunteer groups and the private sector to develop, coordinate and deliver emergency management exercises. The fiscal year 2012/2013 was a extra busy year for exercising.

EMO assisted Health PEI facilities, as part of the hospital accreditation process, to hold one table top exercise in each of the eighteen 24/7 hour facilities in the province. In addition EMO staff facilitated nine business continuity plan table top exercises in various government departments. Seven other exercises were facilitated with various agencies including municipalities, Charlottetown Airport Authority and Cavendish Beach Music Festival. A total of 36 exercises were facilitated by our office through the year.

Search and Rescue
The Emergency Measures Organization holds the responsibility for ground search and rescue in the province. RCMP, are delegated through the Provincial Policing Agreement, to coordinate and manage PEI Ground Search and Rescue training and response activities. EMO staff bring

together provincial government resources to support land, marine, and air search and rescue services; to determine the availability of support, and establish direct liaison between the responsible authorities and the providers of resources and services.

The Prince Edward Island Emergency Measures Organization participates as a member of the National Ground Search and Rescue Council of Canada (GSARCC). This group meets twice annually to address national issues relating to search and rescue, and to enhance training for members.

Joint Emergency Operations Centre (JEOC)

The Joint Emergency Operations Centre monitors events locally, regionally and worldwide. Emergency preparedness messages are disseminated to the public regularly. If required, the JEOC may be activated, additional staff may be called in or placed on stand-by in accordance to the severity of the event. There are three activation levels: Level 1 is daily monitoring; Level 2 is enhanced monitoring of a potential or possible emergency ;and Level 3 is full activation that sees a full call back the operations group to respond to a large scale event.

The JEOC Operations Group is made up of a team of representatives from various government and external agencies that coordinate the government's response to an emergency or disaster situation. It includes Department Emergency Services Officers (DESOs),and depending on the emergency situation may include representatives from RCMP "L" Division, the Fire Marshal's Office, Maritime Electric, Bell Aliant, and the Red Cross. The Operations Group may also include representatives from the federal government or non-governmental agencies.

The JEOC was activated, or monitoring at an appropriate level, for the following events during the F/Y 2012/2013:

- Level 2 activation - Cavendish Beach Music Festival (Severe Weather Event) July 2012
- Level 2 activation - Propane Leak Murray Harbour July 2012

Risk Assessment

As part of the province-wide Threat and Risk Assessment Program, Public Safety Officers visited various critical infrastructure sites throughout the year, to review facilities and emergency plans to gain awareness of the potential impacts to the province in an emergency or disaster. Site visits included:

- BioVectra
- Cavendish Ammonium Nitrate Plant - Riverside Dr.
- Wind Institute
- Coast Guard Facility
- Northumberland Ferries

Fire Marshal's Office (FMO)

The Office of the Provincial Fire Marshal is staffed by the Fire Marshal, the Deputy Fire Marshal, and a Building Safety Inspector. The office administers the *Fire Prevention Act and Regulations* as well as the *National Fire Safety Codes and Standards (NFPA)*.

The mandate of the office is to provide information, education, and leadership to fire departments and various institutional, municipal, and emergency service officials across the province to enhance their capabilities to protect citizens from the devastation of fire and all related hazards.

The Fire Marshal's Office (FMO) program delivery is divided into three areas of responsibility with multiple branches of services :

Regional Services:	inspecting buildings, controlling building occupancies, investigating fires, mass assembly gatherings, and providing advisory services and assistance to local fire chiefs (identified in the *Fire Prevention Act* as "assistants".)
Technical Services:	reviewing plans, providing fire loss analysis and consulting on fire safety and regulations.
Training and Education:	serving fire departments, the general public, and occupational groups. Public education presentations to approximately 28 groups this year.

Fire Inspections

Fire Inspections make up a large portion of the workload within the FMO. The FMO has the power to inspect buildings under section 12 of the *Fire Prevention Act*. Even though the FMO is not mandated to inspect buildings on a timetable some occupancies are mandated through other pieces of legislation relating to that Occupancies licensing structure such as community care facilities, nursing homes, day cares, and kindergartens. Other Occupancies are mandated when there is a change of ownership or a new occupancy as it relates to their licensing structure, such as PEILCC. The FMO is also referred by other Government Departments and agencies to carry out the inspection of commercial and residential occupancies such as Quality Tourism and Environmental Health.

The Office places a high priority on those occupancies that house or occupy the more vulnerable of society such as children, the elderly, and the sick. In the past the FMO has also done inspection assessments for Child and Family Services as part of its Child Protection program. The Office also does annual fire inspections and fire drill assessments in Island schools outside the City of Charlottetown.

The FMO often responds to complaints from the public regarding buildings that are believed to have fire related issues such as apartments, assembly occupancies, commercial businesses, and vacant buildings. The Office also receives many complaints and inquiries regarding products, items and or appliances that may cause a fire hazard, the Office works with Health Canada and third party testing agencies on these cases. It also monitors overcrowding in some assembly occupancies with assistance from other Government agencies.

Fire Inspection (Occupancies) conducted by the FMO in 2012-2013:

Schools / Fire Drills:	49
Daycares kindergartens:	107
Community Care/ Nursing Home:	37
PEILCC:	119
Quality Tourism:	27
Complaints:	38
Capacity / Overcrowding:	33
Other:	21
Total:	**431**

As the Island Tourism Industry grows and expands throughout Prince Edward Island, mass gatherings such as Cavendish Beach Music Festival, Indoor Concerts, and Air Shows are becoming the norm, and even small community festivals are increasing. The Office is responsible for setting the occupant capacity for these events and ensuring that fire prevention measures are met.

Special Events Permits issued in 2012-2013:	**48**
Occupant Capacity Permits issued in 2012-2013:	**119**

The Island is the envy of most other jurisdictions across the country in the area of regulation for fireworks from basic family grade to high level fireworks. Permits are issued to those that are certified with Natural Resources Canada Explosives Division, site inspections are carried out by either the Fire Marshal or Deputy Fire Marshal who are both certified as AHJ supervisors with Natural Resources Canada. FMO staff is also certified and issue pyrotechnics permits for indoor displays.

Fireworks Permits issued in 2012-2013: **26**

Burning Permits are issued by the Fire Marshal's Office for structures that are either still standing or torn down. Applications are processed with the registered owners name and verified through the Provinces Geo-link system. Permits are issued to the local fire services and the owners are given a listing of hazardous materials that are to be removed from the structure prior to burning.

Burning Permits issued by the FMO in 2012-2013: **52**

Fire Investigations

The FMO, when requested by an Island Fire or Police Service, conducts origin and cause determination at fire incidents that have occurred within a structure or property. In the 2012-2013 calendar year, the Office conducted 75 of these investigations with the vast majority of these occurring after business hours.

The FMO has the authority to conduct these investigations under Part II section 10 of *the Fire Prevention Act*. These investigations are currently carried out by the Fire Marshal and Deputy Fire Marshal. There is always one investigator on-call (Stand-by) 24 hours per day; on call rotation is usually 2 weeks on 2 weeks off. Investigators are subjected to call back to performs these investigations after business hours.

All investigators are certified by the National Association of Fire Investigators (NAFI) using NFPA 921 and have a fire service background. This certification and defined path has made it successful for investigators within the FMO to obtain subject matter expert testimony in Supreme Court.

Fire Investigations conducted by the FMO in 2012-2013: 75

Rulings:

Accidental:	52
Suspicious:	13
Undetermined:	10

Fire Deaths in 2012-2013: 2

- No working smoke alarm in both.
- one cause ruled as a stove top fire
- one cause ruled as a space heater too close to combustibles

Breakdown of Fire Causes Investigated by the Fire Marshal`s Office 2012-2013:

Electrical:	14
Self Ignition:	3
Smoking Material:	4
Undetermined:	10
Heating Equipment Related:	10
Appliance Related:	10
Arson:	13
Lightning:	2
Heating or Torch:	3
Stovetop:	4
Major Propane Leak	2

Occupancies (Fires) Investigated by the Fire Marshal`s office in 2012-2013:

Single Family Dwelling:	18
Farm:	12
Out Buildings:	16
Commercial:	14
Vehicle:	2
Multiple Dwelling:	5
Vacant buildings:	7

Plans Review

When a building permit application is submitted to the Province for approval and falls into the category of commercial or rental residential, those applications and plans are reviewed by FMO staff to the applicable codes and standards adopted by the Province in the *Codes and Standards Regulations* as outlined in section 2(1) of the *General Regulations* of the *Fire Prevention Act*. Some Municipalities that issue their own building permits under their Official Plan forward their applications and plans for review to the FMO as no fire code expertise exists within their own Municipality.

All three staff members of the FMO review plans, the size and degree of hazard determines which member does the review. Building Code Compliance certificates are issued for those plans that are designed and built to the National Building Code of Canada as this code is not yet adopted by the Province of Prince Edward Island.

Plans Reviews conducted by the FMO in 2012-2013: 183

Public Education

Public Education has proven to be an effective tool in fire prevention and reducing fire losses in other Jurisdictions and Municipalities.

The Fire Marshal and Deputy Fire Marshal try to schedule and participate in events and messaging throughout the year to provide public fire education. Those fire investigations that are ruled accidental now carry a fire prevention theme with the release of the fire investigation findings to the Media.

Delivery of Fire Prevention messaging has been traditionally done through conventional media, and still is however the use of Social Media has been an effective tool in getting messaging out. The FMO has made use of Facebook, Twitter, and You Tube to get the fire prevention message out to the Public. This past year, three videos have been created through Multi Media Services and have been posted on the Government website through a You Tube connection.

The main focus of our Public Education themes on Fire Safety in the Home. Residential fires are where there are the highest number of both structure fires and fire fatalities.

Fire Services

The Island Fire Service is made up of 36 Fire Departments operating out of 38 fire stations with a little over 1000 volunteers and a small number of career firefighters from Charlottetown and Summerside Fire Departments. The office is responsible for issuing all motor Vehicle Registration and Motor Vehicle License forms to the more than 1000 Island firefighters.

Phone enquiries are answered daily from any of the Islands' fire departments seeking advice, recommendations, standards clarification, administration issues, risk management, or clarification on any number of fire service issues. The *Fire Prevention Act* identifies this as part of the Fire Marshal`s duties as outlined in section 2 (D) (i).

The Fire Marshal is an ex-officio member of the Prince Edward Island Fire Fighters Association (PEIFFA) and its Fire School located in Milton. The Fire Marshal`s Offices approves all firefighter training curriculum that is offered at the Fire school as the school does not have third party accreditation. The PEIFFA is the main fire service organization on Prince Edward Island with its main mandate to provide training to the Island Fire Service.

As a way of keeping the Island Fire Service informed on issues within the Fire Marshal`s Office and the Fire Service, the Office issues an Activity Report that goes out Daily (working days) to the Island Fire Service via e-mail. The report covers incident runs from the previous day, the on-call fire investigator for the Office, forest fire index, road closures, electrical power interruptions, upcoming training courses, and other fire service events. There are currently over 400 subscribers

to the FMO Daily Activity Report that comes from within the Island Fire Service, Provincial Government, Municipal Government, and off Island Fire Services.

The Province of Prince Edward Island grants one motor vehicle registration and motor vehicle license to every active member of the Island Fire Service. The Fire Marshal's Office issues all of these form to the Island Fire Service. The Deputy Fire Marshal is the lead for these duties and the Fire Marshal is the secondary. Inquiries and requests for this program come in on a daily basis.

Motor Vehicle Registration Forms issued by the FMO in 2012-2013: 1065
Motor Vehicle License Forms issued by the FMO in 2012-2013: 418
Personal Vehicle Red Light Permits issued by the FMO in 2012-2013: 101

Recognition of the Island Fire Service comes in the form of two medals that are administered by the Fire Marshal's Office. The Fire Service Exemplary Medal (20 years) is the Federal medal issued by the Chancellery at Rideau Hall. The Fire Marshal is the chair of the Fire Service Exemplary Medal committee for Prince Edward Island. The second medal is the Prince Edward Island Fire Service Long Service Medal (20 years). The Fire Marshal administers this medal persuant to the *PEI Long Service Medal Act.*

Fire Service Response for 2012-2013 by Island Fire Departments:

Alarm	670
Brush Fire	109
CO Alarm	23
Cooking Fire	40
Dryer Fire	8
Electrical Fire	22
Electrical Pole Fire	43
Flare Up	9
Flue Fire	134
Fuel Spill	19
Furnace Malfunction	23
Garbage Fire	69
Grass Fire	89
Haz-Mat	6
Kitchen Fire	3
MFR	918
Mutual Aid	83
MVA	408
Outside Fire	52
Propane Leak	14
Smoke Investigation	35
Structure Fire	160
Vehicle Fire	78
Water Rescue	18
Total	3033

Rural Fire Districts
The addition of Rural Fire Districts to the Fire Prevention and Regulations in the late 1980s gave a mechanism to collect fire dues directly from the Province through an elected three person committee that set the rates and categories for the collection of funds for fire protection. Every year these committees hold their annual meetings the first Wednesday in March. The FMO coordinates the advertising of these meeting as set out in Regulation and advises and makes recommendations to committees on issues that come out of these meetings. The FMO works with the Department of Finance in ensuring that information such as tax rolls and tax certificates get to the proper committee members.

Number of Rural Fire Districts within the Province: 32

Rural Community Fire Companies
The Island Fire Service is made up of two response entities, those being Municipal Fire Departments (25) that have overall governance from the local Municipality and the second are Rural Fire Companies (11) that operate in a Rural area where there is no Municipality or where the Municipality does not wish to directly oversee Fire Protection Services.

The Fire Marshal also collects the annual report and finical statements for the Minister as outlined in section 16 of the *Rural Communities Fire Companies Act Regulations*. The Fire Marshal also maintains a listing of officers of these Rural Fire Companies.

Number of Rural Fire Companies within the Province: 11
Number of Municipal Fire Departments within the Province: 25

Hazardous Material Response
After the events of September 11, 2001 Governments started to focus emergency response resources towards Hazardous Materials and CBRNE (Chemical, Biological, Radiological, Nuclear, and Explosive) incidents.

The FMO worked with the PEIFFA to implement a response plan and assisted the Hazardous Materials response team. Members of the FMO are part of the team trained in operations and technician level and authorize responses on behalf of the Province.

The Fire Marshal is part of the Atlantic Hazardous Materials Working Group that was created in 2011 to bring Provincial Officials and Teams throughout Atlantic Canada together to work on issues such as Mutual Aid and inter-Provincial response agreements. The Fire Marshals from Nova Scotia and New Brunswick along with the Fire Commissioner from Newfoundland are part of this group.

At the last meeting of the **Council of Atlantic Premiers** held in PEI June 2012 all Atlantic Premiers agreed to endorse the work of the Atlantic Hazardous Material working group and have directed Ministers responsible for Public Safety to pursue actions to enhance efficiency, partnerships, interoperability and safety. This was outlined in Minute 21-9 of the CAP meeting June 5-6, 2012 in Brudnell PEI.

Number of members on the Hazardous Materials Response Team: 24

Prince Edward Island Fire Service Advisory Committee
In December 2010, The Minister of Justice and Public Safety met with about 80 members of the volunteer fire service from across the province and heard about many issues of concern, including recruitment, retention, and training. The Minister asked that an advisory committee be implemented to address these, and many other issues of concern, and that the committee provides government with recommendations to address the key issues.

Committee co-chairs:

Tim Jenkins, president of the PEI Firefighters Association
Provincial Fire Marshal David Rossiter

Committee members:

Members are from the volunteer fire service, representing each county, and from a cross-section of municipal and rural services.

Troy Ferguson, Murray River;	Allan Gallant, Georgetown;
George Stewart, Vernon River;	Jamie Masson, North Rustico;
Bob Morrison, North Shore;	Jason Peters, New Glasgow;
Ron Young, Crossroads;	Randy MacDonald, Charlottetown;
Jim Peters, Summerside;	Adam Baldwin, Kinkora;
Harvey Stewart, West Point;	Harley Perry from Tignish.

The Prince Edward Island Fire Service Advisory Committee began meeting in March and is exploring issues facing the volunteer fire service province-wide.

Prince Edward Island Fire Fighters Association Fire School
The Fire Marshal`s Office assisted the Prince Edward Island Fire Fighters Association (PEIFFA) in the grand opening of their new training facilities in Milton. The new building now features a three bay fire station that will house three pieces of apparatus, administrative space, two lecture theatres, and a kitchen area.

As part of the Grand Opening Fire Exemplary and Queens Diamond Jubilee Medals were presented by the Lieutenant Governor along with course Certificates. The building and roadway into the facility has been named after the School`s Chief Instructor Miles Boulter.

The Fire Marshal's Office works in cooperation with the following agencies and associations at the community, provincial, and national levels to reduce losses from fire:

- Crime Stoppers PEI
- Council of Canadian Fire Marshals and Fire Commissioners Canada
- PEI Network for Injury Prevention
- Canadian Gas Association
- PEI Agricultural Chemical Spill Response Committee
- Underwriters Laboratories of Canada
- PEI Petroleum Marketers Association
- Partnership for Children
- Critical Incident Stress Debriefing Team PEI

- Canadian Fallen Firefighters Association
- PEI Firefighters Association
- Canadian Association of Fire Chiefs
- Atlantic Hazardous Materials Working Group
- PEI Hazardous Materials Response Team
- Kings Mutual Aid Group
- West Prince Mutual Aid Association
- Central Queens Mutual Aid Group

Department Staff Summary

The Department of Environment, Labour & Justice underwent a reorganization which resulted in:

- The Legislative Council Division joining the Legal & Court Services Division
- The Labour Division and the Consumer, Corporate & Insurance Division joining to form the new Consumer, Labour & Financial Services Division
- The Public Safety Division, the Policy, Policing & Crime Prevention Division, and Investigation & Enforcement Section joining to form the new Community Safety & Justice Policy Division.
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Environment, Labour & Justice Employees

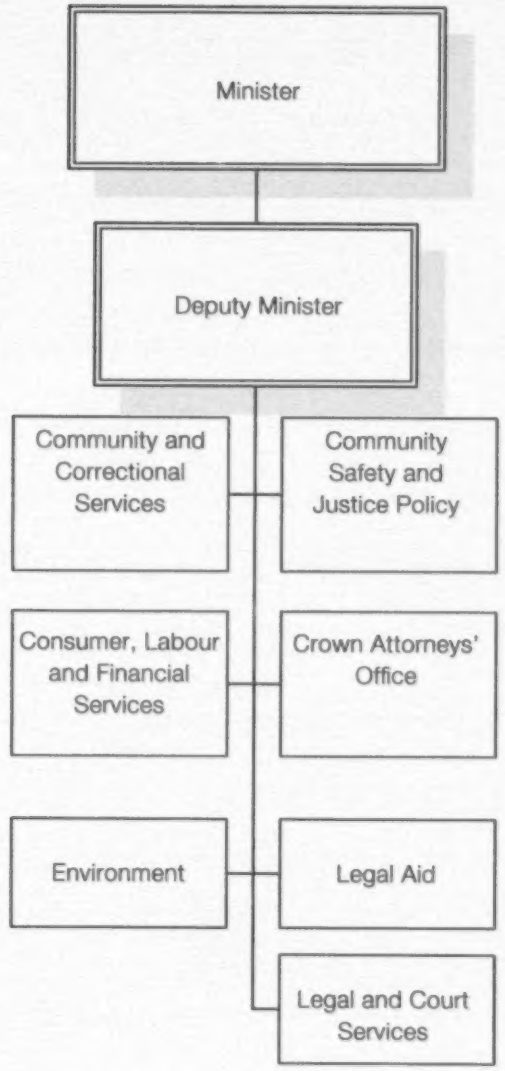
(as of March 31/13)

	Full Time	Part Time
Environment	68	9
Legal & Court Services	75	3
Consumer, Labour & Financial Services	20	1
Crown Attorneys' Office	11	0
Community & Correctional Services	163	38
Community Safety & Justice Policy	29	4
Legal Aid	13	0
Minister/Deputy Minister's Office	4	0
Total	**383**	**55**

In addition to the above established positions the Department employed 112 casual employees and 27 students during the fiscal year 2012/13.

Organizational Chart

2012-2013



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